



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3645 of 2022

WEB COPY

Andisami

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Palani Revenue,
Palani,
Dindigul District.

2.The Tahsildar,
Vedasendur Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct enquiry and to rectify the mistake by making mutation in Patta No.36 for the land situated in Survey No.154 (2 Acres 36 cents) at Kombaripatti Village, Vedasendur Taluk, Dindigul District and issue rectified patta under patta pass book Act based on my representation dated 28.01.2022 within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to conduct enquiry and to rectify the mistake by making mutation in Patta No.36 for the land situated in Survey No.154 (2 Acres 36 cents) at Kombaripatti Village, Vedasendur Taluk, Dindigul District and issue rectified patta under the Patta Pass Book Act based on the petitioner's representation dated 28.01.2022 within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he became the owner of the aforementioned property after the death of his father on 23.07.1988. It is his case that Patta No.36 was issued in his favour after the death of his father. According to him, the respondent by inadvertence left out Survey No.154 [2 acres 36 cents] in the said patta, though the said property was also inherited by him. In such circumstances, he has given a representation on 28.01.2022 to the second respondent to rectify the mistake in Patta No.36 and to include Survey No.154 also in Patta No.36 and re-issue



a fresh patta for all the properties in the name of the petitioner. Since the said representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.S.Sarvagan Prabhu, learned Counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. The petitioner has filed documents before this Court along with this writ petition to establish his claim that he has inherited Survey No.154 measuring 2 acres and 36 cents at Kombaripatti Village, Vedasendur Taluk, Dindigul District. It is his case that though Patta No.36 was issued in his favour in respect of the properties inherited by him from his late father Andiambalam, one of the properties was left out namely, Survey.No.154 measuring 2 acres and 36 cents. He has given a representation on 28.01.2022 to the second respondent seeking for rectification of the mistake and for re-issuance of patta for all the properties.

5. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and other rival claimants if any.

6. Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 28.01.2022 seeking for rectification of the mistake in Patta No.36 for the land situated in Survey No.154 measuring 2 acres and 36 cents at Kombaripatti Village, Vedasendur Taluk, Dindigul District and issue a rectified patta including Survey No.154 [2 acres and 36 cents] and pass final orders within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and other rival claimants if any.

7. With the aforesaid direction, the writ petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes but, ensuring that the copy of the order that is



presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Revenue Divisional Officer,
Palani Revenue,
Palani,
Dindigul District.

2.The Tahsildar,
Vedasendur Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-9249[F] dated 01/03/2022)

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-9095[F] dated 28/02/2022)

W.P. [MD]No.3645 of 2022
28.02.2022

RK(10/03/2022) 3P 5C