



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5509 of 2022

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... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul Division,
Dindigul.

4.The Tahsildar,
Dindigul West Taluk,
Dindigul.

... Respondents

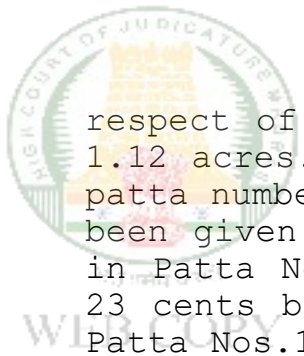
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to sub-divide the Punja Survey Nos.2450/2C and 2450/2D situated at Agaram Village, Dindigul West Taluk, Dindigul District and to issue separate patta in respect of 23 cents in the petitioner's favour by considering the petitioner's representation dated 03.12.2020 within a stipulated period as framed by this Court.

For Petitioner	: Mr.J.David Ganesan
For Respondents	: Mr.T.Amjad Khan Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the fourth respondent to sub-divide Survey Nos.2450/2C and 2450/2D and to issue patta in favour of the petitioner in respect of 23 cents.

2.According to the petitioner, the fourth respondent has wrongly issued Patta No.165 in favour of one Alaga Thevar, who is the husband of Karupayee Ammal in respect of Survey No.2450/2C measuring an extent of 1.26 acres instead of 1.12 acres. Further, it is the case of the petitioner that Patta No.2254 was also wrongly issued in favour of Periyasamy Thevar, S/o.Palaniyandi Thevar, in



respect of Survey No.2450/2D to an extent of 1.21 acres instead of 1.12 acres. According to the petitioner, in the above referred two patta numbers namely Patta Nos.165 and 2254, wrong measurements have been given. According to her, 14 cents in Patta No.165 and 9 cents in Patta No.2254 belong to the petitioner and in all put together, 23 cents belonging to the petitioner have been wrongly included in Patta Nos.165 and 2254. The petitioner also claims that she has also obtained a Civil Court decree in her favour for the subject lands in O.S.No.735 of 2011, on the file of the Principal District Munsif Court, Dindigul. In such circumstances, the petitioner has given a representation on 03.12.2020, requesting the fourth respondent to make the necessary corrections and issue separate pattas in her name. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.J.David Ganesan, learned Counsel appearing for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the fourth respondent if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and other necessary parties whom the fourth respondent deems fit to enquire. The petitioner has filed documents along with this writ petition in support of her contentions. The documents include a Civil Court decree which is relied upon by the petitioner. The petitioner seeks rectification of the measurements in Patta Nos.165 and 2254 issued by the fourth respondent.

5.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation dated 03.12.2020 seeking for rectification of Patta Nos.165 and 2254 with regard to the measurements and to issue separate pattas in respect of 23 cents for Survey Nos.2450/2C and 2450/2D in her name and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and other necessary parties whom the fourth respondent deems fit to enquire within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

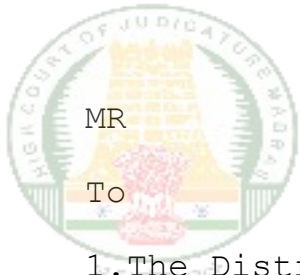
Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)



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Dindigul.
- 2.The District Revenue Officer,
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- 3.The Revenue Divisional Officer,
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- 4.The Tahsildar,
Dindigul West Taluk,
Dindigul.

+1 CC to M/s.J.DAVID GANESAN, Advocate (SR-15204[F] dated 29/03/2022)

+1 CC to M/s.SPL GP (SR-15326[F] dated 30/03/2022)

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SG(CO)
KB(07.04.2022) 3P 7C