



W.P.(MD)No.17099 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17099 of 2022

R.Sasikumar

... Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Thanjavur District.

2.The Tahsildar,
Office of the Tahsildar,
Orathanadu Taluk,
Thanjavur District.

3.The Tahsildar,
Office of the Tahsildar,
Pattukottai Taluk,
Thanjavur District.

4.M.Kalaiselvi

5.K.Selvaraj

6.The Revenue Divisional Officer,
Thanjavur District.
(R.6 is *suo motu* impleaded vide Court
order dated 02.08.2022 in W.P(MD)No.
17099 of 2022)

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to conduct detailed enquiry with regard to mutation made in Survey No.26/4, situated in Neiveli Thenpathi Village, in favour of the fourth respondent by removing petitioner's father's name in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate for R.1 to R.3 & R.6

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents.

2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. The petitioner states that patta in respect of the petition mentioned property stood in the name of his father / P.Rengan. The petitioner and his sister are his legal heirs. P.Rengan had since passed away. He did not make any conveyance of the petition mentioned property during his life time. His children have also not dealt with the property. According to the petitioner, the name of the fourth respondent was fraudulently inserted. At present, the



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revenue record reflects the name of the fourth respondent. The petitioner makes allegation against the fifth respondent in this regard. I do not want to go into this allegation at this stage.

4. According to the petitioner, the Tahsildar concerned has committed an error and that the revenue record should be set right. The petitioner has to necessarily moved the jurisdictional Revenue Divisional Officer. The petitioner is permitted to file an appeal before the Revenue Divisional Officer, Thanjavur within a period of three weeks from the date of receipt of copy of this order. If within three weeks an appeal is filed the same will be entertained without reference to limitation.

5. The Revenue Divisional Officer, Thanjavur is directed to dispose of the said appeal on merits and in accordance with law within a period of twelve weeks from the date of receipt of the appeal. The interested parties including the private respondents herein will have to be necessarily heard before the final order is passed. I make it clear that I have not gone into the merits of the matter. It is for the Revenue Divisional Officer, Thanjavur to pass order one way or the other.



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6. The writ petition is disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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- 4.The Revenue Divisional Officer,
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G.R.SWAMINATHAN, J.

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