



W.P.(MD)No.21901 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.09.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.21901 of 2022

Rajendran, S/o.Late. Shanmugam Pillai

.. Petitioner

Versus

The Tahsildar,
Lalgudi Taluk,
Trichy District.

.. Respondent

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to transfer Patta in respect of the property in S.F.No.130/6, measuring an extent of 1119 $\frac{3}{4}$ sq.ft. out of 0.82 cents 33.5 Ares, situated at Oothathur Village, Lalgudi Taluk, Thiruchirappalli District, by considering the petitioner's representation dated 18.03.2022, within the time stipulated by this Court.

For Petitioner : Mr.C.Ezhilarasu

For Respondent : Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, to direct the respondent to transfer Patta in his name in respect of the property in S.F.No.130/6, measuring an extent of 1119 $\frac{3}{4}$ sq.ft. out of 0.82 cents 33.5 Ares, situated at Oothathur Village, Lalgudi Taluk, Thiruchirappalli District, by considering his representation dated 18.03.2022, within a time frame.



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2.The petitioner submits that he purchased a land, measuring an extent of 1119 $\frac{3}{4}$ sq.ft. out of 33.5 Ares [82 Cents], in S.F.No.130/6, situated at Oothathur Village, Lalgudi Taluk, Thiruchirappalli District, from one Anabalagan, through a registered sale deed, dated 20.02.2012. From that date, the petitioner is in possession and enjoyment of the said land and all the revenue records were also mutated in his name. However, Patta No.1165, measuring an extent of 82 Cents stands in the name of the said Anbalagan. Hence, the petitioner made a representation on 18.03.2022 to the respondent seeking issuance of Patta in his name, but no order was passed thereon. Hence, this Writ Petition.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the material available on record.

4.From the material available on record, it is seen that the petitioner sought for issuance of Patta, by considering his representation, dated 18.03.2022. He has also produced certain documents to show that his vendors' name find place in the Patta. The petitioner has already approached the authorities concerned and his request was rejected stating that the above said survey number has been classified as 'Government Punja' in the Village 'A'



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Register and in the notes, it has been mentioned as 'Tharisu'. Further, the said land stood in the name of one Chellammal in Patta No.163, as per the proceedings, dated 06.08.1991. After re-classification, the same has been classified as 'Tharisu'. Moreover, as per Village 10(1) Chitta, the said survey number stands in the name of Chellammal, W/o.Ponnusamy, in Patta No.1163. However, the said survey number has not been mentioned in the computer Chitta and the proceedings in T.K.No.439/1401, dated 06.08.1991, was destroyed by the authorities concerned. This cannot be an answer by the said authority. Already Patta has been issued in favour of Chellammal, the vendor of S.Anbalagan, from whom, the petitioner had purchased the said property and the said fact cannot be brushed aside. Hence, this Court directs the District Revenue Officer, Trichy District, to consider the claim of the petitioner after considering the documents produced by him. If there is any mistake or error committed by the authorities in the UDR during re-classification, the same should be rectified and appropriate orders shall be passed based on the representation of the petitioner, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. As the petitioner has not arrayed the District Revenue Officer, Trichy District, as a party respondent, the petitioner is directed to send a fresh representation to him forthwith.



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5. With the above direction, this Writ Petition is disposed of. No costs.

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To

1. The District Revenue Officer,
Trichy District.
2. The Tahsildar,
Lalgudi Taluk,
Trichy District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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