



W.P.(MD)No.21416 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.21416 of 2022

Selvaraj, S/o.Duraisamy

.. Petitioner

Versus

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Thuraiyur,
Trichy District.

4.The Village Administrative Officer,
Balakrishnampatti East Village,
Thuraiyur Taluk,
Trichy District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 and 4 to enter the petitioner's name in the Village records pertaining to the Natham land in New Survey No.190/3 of Balakrishnampatti South Village, measuring an extent of 3 Ares, on the basis of Patta No.1583, issued by the Special Tahsildar, Natham Nilavari Thittam, on 26.08.1992 and pass appropriate orders in accordance with law.



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For Petitioner : Mr.N.Anandakumar
For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, to direct the respondents 1 and 4 to enter his name in the Village records pertaining to the Natham land in New Survey No.190/3 of Balakrishnampatti South Village, measuring an extent of 3 Ares, on the basis of Patta No.1583, issued by the Special Tahsildar, Natham Nilavari Thittam, on 26.08.1992 and pass appropriate orders in accordance with law.

2.The petitioner submits that on the eastern side of his house, there is a piece of Natham land. The petitioner and his family members are in possession and enjoyment of the said land, situated at Old S.No.190, New S.No.190/3, measuring an extent of 3 Ares, for several years. The Special Tahsildar, Natham Nilavari Thittam, on 26.08.1992, had issued Patta No.1583 to the petitioner and the same has been reflected in the records of the Tahsildar Office, Thuraiyur, whereas, in the Village records of Balakrishnampatti South, the said survey number has been wrongly mentioned as vacant land. After knowing the same in the year 2013, the petitioner sought information under the Right to Information Act and it was clarified that Patta No.1583 stands in



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his name. Therefore, on 04.10.2021, he sent a representation to the respondents 1 to 3, seeking appropriate entry in the Village records based on Patta No.1583 issued by the Special Tahsildar, in the year 1992. Thereafter, the second respondent directed the third respondent to take action on the petitioner's representation and to send a report to him. However, till date, no action has been taken. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

3.The learned Additional Government Pleader appearing for the respondents produced a copy of the proceedings of the third respondent in Na.Ka.A1/5189/2022, dated 19.09.2022, and submitted that on verification of the Village records, it is seen that the land in S.No.190/3, measuring an extent of 0.03.5 Ares is classified as vacant land and a wrong entry was made in the Village Natham Adangal Register. Moreover, the petitioner has not produced any relevant document in support of his claim and therefore, the third respondent is not in a position to grant patta to him.

4.From the material available on record, it is seen that the Sub-Collector, Musiri, has sent a proceedings dated 13.10.2021, to the third respondent/Revenue Tahsildar, Thuraiyur, to pass appropriate orders on the representation of the petitioner, dated 04.10.2021. However, till date, no

<https://www.mhc.trn.in/judis> follow up action has been taken on the same.



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5.Considering the above said submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the petitioner, dated 04.10.2021, and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to all the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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Order made in
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