



W.P.No.13370 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13370 of 2023

S.Sathishkumar

... Petitioner

Vs

1.The District Collector,
O/o District Collector Office,
Villupuram District, Villupuram.

2.The District Revenue Officer,
Villupuram District, Villupuram.

3.The Revenue Officer,
Thindivanam, Villupuram District.

4.The Tahsildar,
Marakanam Taluk,
Villupuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 13.03.2023 and issuing fresh patta to the petitioner.

For Petitioner : Mr.M.Kalaiyaran

For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

ORDER



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The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the petitioner on 13.03.2023 to issue fresh patta to him.

2. It is not in dispute that a patta has already been issued in favour of the petitioner in respect of Survey No.134/3. The learned counsel for the petitioner states that there is a mistake in mentioning the survey number and to cancel the mistake, the petitioner submitted a representation on 13.03.2023.

3. The learned Additional Government Pleader appearing on behalf of the respondents raised an objection by stating that the patta was issued based on the documents presented by the petitioner and more specifically the sale deed submitted by the petitioner indicates the survey number as New Survey No.134/3. If at all there is any dispute with reference to the survey number, the petitioner has to approach the competent Civil Court for the purpose of resolving the issues.



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4. High Court in a Writ proceedings cannot adjudicate such disputed issues between the parties, which must be done with reference to the original documents and evidences on record. Merely directing the respondents to dispose of the representation would do no service to the cause of justice, the litigation will be back again to the High Court for filing another writ petition. Even for issuing a direction to consider the representation, the petitioner has to establish a right. Since the dispute is relating to correction of survey number with reference to the documents, an adjudication is required and thus the petitioner is at liberty to approach the competent forum for the purpose of adjudication of disputed issues and can be resolved the same in the manner known to law.

5. With this liberty, the Writ Petition stands disposed of. There shall be no order as to costs.

01.06.2023

Index : Yes/No

Speaking Order : Yes/No

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To

WEB COPY

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S.M.SUBRAMANIAM, J.

Sgl

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