



W.P.No.33740 of 2023
order dated 05.12.2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.12.2023

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.33740 of 2023

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K.Rekha, W/o S.Balaji

.. Petitioner

Vs.

1. The Director of Survey,
Directorate of Land and Survey,
Revenue Department,
Government of Puducherry,
Saram, Puducherry.

2. The Tahsildar,
Oulgaret Taluk,
ECR Road,
Lawspet, Puducherry.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 12.07.2021 for issuance of patta and change of name in the relevant Revenue Records.

For petitioner : Mr.K.Shyam Sundar

For respondents: Mr.V.Vasanth Kumar, Addl.G.P(Pondicherry)



W.P.No.33740 of 2023
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ORDER

This Writ Petition is filed praying for issuance of a simple Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 12.07.2021 for issuance of patta and change of name in the relevant Revenue Records.

2. It is the case of the petitioner that she had purchased the lands in R.S.No.220/3/A Cat.No.398, PT, Patta No.2374, measuring an extent of 1440 Sq.Ft. situated at 21st Cross Street, Krishna Nagar Oulgarent Taluk, Puducherry on 14.11.2019 through a registered Document No.24291/2019 in the office of the Sub-Registrar, Oulgaret. Till date, the said land is in her possession and the said lands are vacant plots and the petitioner had approached the second respondent for change of patta, and other relevant Revenue Records in the petitioner's name based on the sale deed, dated 14.11.2019. The petitioner had made her representation to the second respondent on 12.07.2021 for change of name in all the Revenue Records, but till date, the respondent had not taken any action so far. The action of the respondent in refusing for the petitioner to issue the sub-division Patta in her name is illegal and unjust and amounts to denial of fundamental rights. Issuance of Patta is a common right of the petitioner who

Page No.2/5



W.P.No.33740 of 2023
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had purchased the above lands by way of registered sale deed and thereby, the respondent is violating the principles of natural justice. Hence, she has filed the above Writ Petition for the relief stated supra.

3. This is a simple Writ of Mandamus to direct the respondents to consider the said representation of the petitioner, dated 12.07.2021 and there is no private respondent.

4. Taking into consideration the facts and circumstances of the case, the respondents are directed to consider the said representation of the petitioner after giving notice to the petitioner and also rival claimants and also the interested parties, if any and after giving notice to all the parties, the respondents shall dispose of the above representation in accordance with law on merits, within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

05.12.2023

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Page No.3/5



W.P.No.33740 of 2023
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To

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P.VELMURUGAN, J

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W.P.No.33740 of 2023

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