



W.P(MD)No.5300 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5300 of 2023

and

W.M.P(MD)No.7913 of 2023

A.Poochiammal

... Petitioner

Vs.

1.The District Revenue Officer,
Office of District Revenue Officer,
Virudhunagar,
Virudhunagar District.

2.The Tahsildar,
Taluk office,
Sivakasi,
Virudhunagar District.

3.Alagarsamy

(R3 impleaded vide Court order
dated 13.04.2023)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the wrong classification of 'Poosthuthi Pathai' & 'Poosthuthi Road' made in S.No.317/7E1 & 317/C2 situated at Mela Amattur Village, Sivakasi



W.P(MD)No.5300 of 2023

Taluk, Virudhunagar District from the revenue records by considering petitioner's representation dated 20.02.2023 within the time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For R1 and R2 : Mr.N.Muthu Vijayan
Special Government Pleader

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction against the first respondent / District Revenue Officer, Virudhunagar District, to remove the wrong classification of 'Poosthuthi Pathai' and 'Poosthuthi road' in S.No.317/7E1 & 317/C2 situated at Mela Amattur Village, Sivakasi Taluk, Virudhunagar District. The petitioner had given a representation on 20.02.2023.

2. In the affidavit filed in support of this writ petition, it had been stated that the petitioner is residing in the aforementioned property and houses had also been constructed. The petitioner had also purchased the same from her husband by a registered sale deed. However, it had come to the knowledge of the petitioner that the second respondent, in the Natham Adangal record has made entries as 'Poosthuthi Pathai' so far as S.No.317/7E1 is concerned. It had



W.P(MD)No.5300 of 2023

been stated that the petitioner had not gifted the lands to the second respondent.

The petitioner had given a representation to correct the entries.

3. On examining the facts, this Court had directed the petitioner to implead one Alagarsamy as a further respondent in the writ petition. Accordingly, W.M.P(MD)No.7913 of 2023 has been filed. It is stated that the said Alagarsamy claims the private pathway of the petitioner as public pathway. It is only appropriate that he is also made a party to the writ petition. The Writ Miscellaneous Petition is allowed. Registry may implead Alagarsamy as the third respondent in the writ petition before issuing the order copy.

4. The first respondent/ District Revenue Officer may issue notice not only to the petitioner but also to the said Azhagarsamy and conduct necessary enquiry and also obtain report from the second respondent / Tahsildar about the lands which were originally classified and about the land which according to the petitioner had been reclassified. The entire revenue records may be verified by the District Revenue Officer, and then, after giving opportunity to both the parties, take a considered decision. The first respondent may pass necessary orders within a period of 12 weeks from the date of receipt of a copy of this order.



W.P(MD)No.5300 of 2023

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5. This Writ Petition is disposed of. No costs.

13.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

Note: Registry is directed to carry out necessary amendments in the cause title.

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To

- 1.The District Revenue Officer,
Office of District Revenue Officer,
Virudhunagar,
Virudhunagar District.
- 2.The Tahsildar,
Taluk office,
Sivakasi,
Virudhunagar District.



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W.P(MD)No.5300 of 2023

C.V.KARTHIKEYAN, J.

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and
W.M.P(MD)No.7913 of 2023**

13.04.2023