



W.P(MD)No.5674 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5674 of 2023

Ganesan

... Petitioner

Vs.

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

2.The Tahsildar,
Thuraiyur Taluk,
Trichy District.

3.The Firka Surveyor,
Uppiliyapuram Division,
Thuraiyur Taluk,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the second respondent to issue the patta in favour of the petitioner by correcting the original extent of plot area as 0.01.03 Sq.mt and correct the FMB sketch in the light of the recommendation made by the 1st respondent in Na.Ka.A6/5654/2019 dated 24.02.2022.



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For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction to the second respondent / Tahsildar, to issue patta in favour of the petitioner by correcting the original extent of the plot area as 0.01.03 sq.mt and correct the FMB sketch in the light of the recommendation made by the first respondent in Na.Ka.A6/5654/2019 dated 24.02.2022.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner was residing at T.S.No.593/3 in Venkatasalapuam Village, Thuraiyur Taluk, Trichy District, to a total extent of 0.01.03 sq.mt, equivalent to 1108 sq.ft. The property was purchased in the name of the petitioner by Document No.1658/1984 and the petitioner has been enjoying the property. The revenue records were also mutated. During subdivision in the year 2001, it had been stated that the second respondent had given a representation on 06.03.2001 in T.K.8A/87/1410 mentioning the extent of the property as 0.00.82 sq.mts, instead of 0.01.03 sq.mt. The petitioner was also issued patta as well as FMB sketch by mentioning the extent of property as 0.00.82 sq.mts. The petitioner had given a representation to the second respondent. Thereafter, the



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second respondent had conducted enquiry on 02.11.2018. He had thereafter directed the third respondent to submit subdivision document relating to T.S.No.598/2. Thereafter, a field inspection was also directed to be done. Another individual namely Ramasamy S/o. Raman was also put on notice and enquired. It is now stated that the second respondent will have to pass necessary orders after the conclusion of the enquiry.

3. A direction is given to the second respondent / Tahsildar, Thuraiyur Taluk, Trichy District, to examine the entire records and if the petitioner is entitled for the relief sought in his representation, proceed to do so within a period of eight weeks from the date of receipt of a copy of this order. If the enquiry had been completed then necessary orders should be passed. If the enquiry had not been concluded, that enquiry should be concluded and necessary orders must be passed as stated within a period of eight weeks from the date of receipt of a copy of this order.

4. This writ petition is disposed of. No costs.

17.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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C.V.KARTHIKEYAN, J.

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To

- 1.The Revenue Divisional Officer, Musiri, Trichy District.
- 2.The Tahsildar, Thuraiyur Taluk, Trichy District.
- 3.The Firka Surveyor, Uppiliyapuram Division, Thuraiyur Taluk, Trichy District.

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