



W.P.(MD)No.13149 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13149 of 2020

V.K.Rajendran

.. Petitioner

Versus

1.The District Revenue Officer,
Dindigul,
Dindigul District.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal,
Dindigul District.

4.The Deputy Tahsildar,
Kodaikanal,
Dindigul District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 3 and 4 to restore the Patta for the land in Survey No.1140/2, Old Survey Nos.829 and 830, measuring to an extent of 1.46.0 Hectare, situated at Vilpatty Village, Kodaikanal Taluk, Dindigul District, by following the order passed by the first respondent in Na.Ka.56063/2004/AA4, dated 16.03.2007 and by considering the petitioner's representation, dated 21.08.2020.



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For Petitioner : Mr.V.Sukumar

For Respondents : Ms.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 3 and 4 to consider the representation made by the petitioner on 21.08.2020 and to restore the Patta for the subject property in the name of the petitioner in line with the order passed by the first respondent through proceedings dated 16.03.2007.

2. Heard Mr.V.Sukumar, learned counsel for the petitioner and Ms.Farjana Ghoushia, learned Special Government Pleader for the respondents.

3. The case of the petitioner is that he is the absolute owner of the subject property and Patta was also granted in his favour in Patta No.113. The petitioner came to know that the property was classified as "Unassessed Tharisu" in the UDR Survey Scheme. Hence, the petitioner along with similarly placed persons made an application before the first respondent, requesting to rectify the mistake in the revenue records. Based on the direction given by the first respondent, the third respondent had conducted an



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enquiry and based on the report submitted by the respondents 3 and 4, the first respondent also conducted an enquiry and passed an order dated 16.03.2007.

By virtue of this order, the mistake was rectified and the property was classified as a Patta land.

4. The grievance of the petitioner is that, all of a sudden, the respondents 3 and 4 have made mutation in the revenue records and the same was done without putting the petitioner on notice and hence, the petitioner made a representation in this regard on 21.08.2020 to the respondents 3 and 4, seeking for restoration of Patta and since the same was not considered, the present Writ Petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and also the limited relief sought for in the Writ Petition, there shall be a direction to the third respondent to consider the representation made by the petitioner and deal with the same on its own merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and a copy of this order.



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7. This Writ Petition is disposed of in the above terms. No costs.

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NCC : Yes/No
Index : Yes/No
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To

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N.ANAND VENKATESH, J.

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