



W.P(MD)No.12926 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.12926 of 2023

M.Murugavalli

... Petitioner

Vs.

1.The Sub Collector /
Revenue Divisional Officer,
Revenue Divisional Office,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Tahsildar Office,
Mudukulathur Taluk,
Ramanathapuram District.

3.Marimuthu

... 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 consider the petitioner's representations dated 29.12.2021 and 15.03.2023 for to measurement of the property and separate patta of the petitioner situated in the Survey Number.121/2B patta No.3829 situated in Mela Mudukulathur Group, Mudukulathur Taluk, Ramanathapuram District.



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For Petitioner : Mr.M.Muniyasamy

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader
for R.1 & R.2

ORDER

This writ petition has been filed in the nature of Mandamus seeking direction to the respondents, the Sub Collector / Revenue Divisional Officer, Revenue Divisional Office, Paramakudi, Ramanathapuram District and the Tahsildar, Mudukulathur Taluk, Ramanathapuram District, to consider the representation given by the petitioners to measure the property at Survey No. 121/2B in patta No.3829 at Mela Mudukulathur Group, Mudukulathur Taluk, Ramanathapuram District and to issue separate patta to the petitioner herein.

2. The petitioner had filed an earlier writ petition. In the affidavit filed in support of the writ petition, it had been stated that the grandfather of the petitioner, Muthuthevar had purchsaed 25 cents of land on 25.06.1990 and again on 27.03.1991 which documents were registered at Sub Registrar Office, Mudukulathur. The Joint patta was granted to the legal heir M.Murugavalli. It had been stated that the Survey number had been wrongly mentioned instead of 121/2B and 122/1A.



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3. There being dispute regarding the nature of the land and also the actual identity of the property, a direction is issued to the second respondent / Tahsildar, to issue notice to the petitioner and also to the adjacent land owners, particularly, Theivanayagam and Subbiah Pillai or their legal heirs and conduct an enquiry and identify the lands and thereafter take a decision whether to grant patta to the petitioner or not.

4. The learned Special Government Pleader on instruction stated that patta stands in the name of aforementioned Theivanayagam and Subbiah Pillai. Therefore, before taking any action, notice must be issued and in their presence orders to be passed. The second respondent may complete the entire exercise within a period of 12 weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of. There shall be no order as to costs.

05.06.2023

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

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C.V.KARTHIKEYAN, J.

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To

- 1.The Sub Collector /
Revenue Divisional Officer,
Revenue Divisional Office,
Paramakudi, Ramanathapuram District.
- 2.The Tahsildar, Tahsildar Office, Mudukulathur Taluk,
Ramanathapuram District.

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