



W.P.(MD)Nos.15385 and 19734 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)Nos.15385 and 19734 of 2020

M. Ramasubbu
N.Kaleeswari

.. Petitioners in W.P.(MD)No.15385 of 2020

S.Nagasundaram
K.Bala Murugan

.. Petitioners in W.P.(MD)No.19734 of 2020

Versus

1.The Secretary to the Government of Tamil Nadu,
Revenue Department,
Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

4.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

5.The District Surveyor,
Ramanathapuram District,
Ramanathapuram.

6.The Tahsildar,
Ramanathapuram,
Ramanathapuram District.



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7. The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

.. Respondents in both the W.Ps.

[R7 is *suo motu* impleaded as per order of this
Court, dated 05.10.2023]

Prayer in W.P.(MD)No.15385 of 2020:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioners' representation dated 03.08.2020 and to order for enquiry and cancel the entries if found on the Revenue Records fraudulently in Chitta, Adangal, 'A' Register and FMB Records in Survey No. 418/14 of 53, Peikulam Village, Kadaladi Taluk, Ramanathapuram District.

Prayer in W.P.(MD)No.19734 of 2020:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioners' representation dated 30.07.2020 and to order for enquiry and cancel the entries if found on the Revenue Records fraudulently in Chitta, Adangal, 'A' Register and FMB Records in Survey No. 418/9 of 53, Peikulam Village, Kadaladi Taluk, Ramanathapuram District.

For Petitioners in both the W.Ps. : Mr.S.Samuel James Devasagayam

For Respondents in both the W.Ps. : Mr.K.S.Selvaganesan
Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed for issuance of Writ of Mandamus, directing the respondents to consider the representations made by the petitioners, who are seeking for cancellation of the entries made in the revenue records pertaining to the subject properties.



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2. When these Writ Petitions were taken up for hearing today, the learned counsel for the petitioners submitted that the first petitioner in W.P. (MD)No.15385 of 2020 died during the pendency of the Writ Petition on 17.03.2023. However, the second petitioner is alive and the other two writ petitioners in W.P.(MD)No.19734 of 2020 are also prosecuting the case and hence, common order can be passed in these Writ Petitions.

3. The case of the petitioners is that they are the absolute owners of the subject properties, situated in Survey Nos.418/14 and 418/9 at Peikulam Village, Kadaladi Taluk, Ramanathapuram District. When they scrutinized the revenue records, they came to know that the said survey numbers have been sub-divided and in the "A" Register, they found that Survey No.418/14 was sub-divided as Survey No.418/65 and Survey No.418/9 was also sub-divided as Survey No.418/65 and the name of one Fathima Johra was entered in the revenue records towards Patta No.1054. Subsequent Pattas were also issued in the name of one Kasirajan and Latha in Patta Nos.1044 and 1045, respectively.

4. In view of the above, the petitioners made representations before the respondents, seeking for cancellation of entries made in the revenue records. Since the same was not considered, the present Writ Petitions have been filed before this Court.



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5. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the representations made by the petitioners were considered by the Tahsildar, Kadaladi Taluk, Ramanathapuram District. He directed the Revenue Inspector to conduct an enquiry and to submit a report before him. Accordingly, a report was also submitted to the Tahsildar, Kadaladi Taluk, Ramanathapuram District and it is pending before him for taking a final decision.

6. In the light of the above submission made by the learned Additional Government Pleader, it will suffice if a direction is issued to the Tahsildar, Kadaladi Taluk, Ramanathapuram District, to act upon the report submitted by the Revenue Inspector. The Tahsildar, Kadaladi Taluk, Ramanathapuram District, is not a party to the proceedings and therefore, he is *suo motu* impleaded as seventh respondent in the present Writ Petition.

7. The Tahsildar, Kadaladi Taluk, Ramanathapuram District/seventh respondent shall act upon the report submitted by the Revenue Inspector and can seek for clarity from the interested parties and pass final orders within a period of three months from the date of receipt of a copy of this order.



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8. These Writ Petitions are disposed of in the above terms. No costs.

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NCC : Yes/No
Index : Yes/No
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05.10.2023

To

- 1.The Secretary to the Government of Tamil Nadu,
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- 3.The District Revenue Officer,
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Ramanathapuram District.
- 7.The Tahsildar,
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N.ANAND VENKATESH, J.

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Common order in
W.P.(MD) Nos.15385 and 19734 of 2020

05.10.2023