



WP(MD)No.16852 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.16852 of 2020

and

W.M.P.(MD)No.14081 of 2020 & 16596 of 2021

Murugeswari

...Petitioner

/Vs./

- 1.The Revenue Divisional Officer,
Thirumangalam Revenue Division Office,
Thirumangalam, Madurai District.
- 2.The Assistant Director of Survey And
Land Records and P.A. to Collector,
District Survey Office,
Madurai District Collectorate Office, Madurai.
- 3.The Tahsildar,
Taluk Office, Thirumangalam,
Madurai District.
- 4.S.Karayandi
- 5.S.Vetrivel
- 6.A.Nainamohamed
- 7.Sub Registrar,
Tirumangalam,
P.W.D.Complex,
47-48, Madurai-Virudhunagar Road,
Tirumangalam, Madurai District.

...Respondents



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(R7 is Impleaded Vide Court Order Dated 23.12.2021 in WMP(MD)No.16509 of 2021.)

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PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to order for entry of the petitioner's name for the property in T.S.No.14/10 Block 2, Town Survey Ward E, Vadakarai Village, Thirumangalam Taluk, Madurai District, based on the petitioner's appeal/representation dated 22.07.2020 submitted to the 1st respondent within a time to be stipulated by this Court.

For Petitioner : Mr.A.Sivaji

For Respondents : Mr.R.Ragavendran (R1 to R3 & R7)

Government Advocate

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the first respondent to consider the representation made by the petitioner on 22.07.2020 and to enter the name of the petitioner in the revenue records and grant patta in her favour with respect to subject property in TS No. 14/10 at Vadakarai Village, Thirumangalam Taluk, Madurai District.

2. The case of the petitioner is that the subject property absolutely belongs to the petitioner by virtue of the registered sale deed dated 22.11.2018 registered as Document No.7402 of 2018. The further case of the petitioner is



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that the property tax and municipal tax has also been assessed in the name of the petitioner and the revenue records originally stood in the name of the vendor of the petitioner. The petitioner applied for the transfer of the patta in her name. However, it was found that the names of the respondents 4 and 5 were entered in the computer patta and therefore, the petitioner had sought for removal of this mistake and for entering the name of the petitioner in the patta with respect to the property in T.S.No.14/10. Since the same was not considered, this writ petition has been filed before this Court.

3. Heard Mr.A.Sivaji, learned counsel for the petitioner and Mr.R.Ragavendran, learned Government Advocate for the respondents 1 to 3 and 7. The respondents 4 to 6 have been served with notice and their names have also been printed and there is no representation either in person or through counsel.

4. It is seen from the records that originally, the property formed part of S.No.288/5. After the town survey, it has been assigned T.S.No.14/10 measuring an extent of 1072 square feet. It is also seen from the records that the name of the vendor of the petitioner was entered in the revenue records. When the petitioner had applied for transfer of patta in her name, the names of the respondents 4 and 5 were entered with respect to T.S.No.14/10.



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5. According to the petitioner, it is clearly a mistake on the part of the revenue authorities to have entered the names of the 4th and 5th respondents in the revenue records and this required correction. Therefore, the petitioner had made a representation to the first respondent to make necessary correction and to enter the name of the petitioner in the revenue records pertaining to the subject property in T.S.No.14/10. Since the same was not considered, this writ petition has been filed before this Court.

6. Taking into consideration the facts and circumstances of the case and the materials available on record, there shall be a direction to the first respondent to act upon the representation made by the petitioner on 22.07.2020 and if the names of the 4th and 5th respondents having been entered by mistake, the same shall be removed and it shall be replaced with the name of the petitioner in the revenue records and this process shall be completed by the first respondent within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.



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7. This writ petition is disposed with the above directions. No costs.

Consequently, connected miscellaneous petitions are closed.

06.10.2023

(1/2)

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

TO:

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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.16852 of 2020
(1/2)

Dated:
06.10.2023