



W.P.(MD)No.17636 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.17636 of 2021

M.Viswanathan

... Petitioner

-VS-

- 1.The District Collector,
Tiruchirapalli District,
Collectorate Buildings, Tiruchirapalli - 620 001.
- 2.The District Revenue Officer,
Tiruchirapalli District,
Collectorate Buildings, Tiruchirapalli - 620 001.
- 3.The Revenue Divisional Officer,
Srirangam Zone, Muthukulam,
Trichirappalli District.
- 4.The Tahsildhar,
Manapparai, Tahsildhar's Office, Manapparai,
Trichirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate enquiry upon the representation /application of the petitioner, dated 16.01.2021 and direct them to remove the name of Periyasamy, S/o.Rengasamy in Patta No.544 and to grant a separate Patta in favour of the petitioner in respect of property situate in Survey No.202/2 in Ayan



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Reddiyapatty Village, Manapparai Taluk, Trichirappalli District, within the time frame to be fixed by this Court.

For Petitioner : Mr.K.S.Kathiravan
For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 16.01.2021, wherein the petitioner has sought for removal of the name of one Periyasamy in Patta No.544 and grant a separate Patta in favour of the petitioner with respect to the subject property.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader appearing on behalf of the respondents.

3. It is seen from the records that even originally the Patta contained the name of Periyasamy along with the name of the mother of the petitioner. The mother of the petitioner died and therefore, the petitioner wants the Patta



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in his name. While doing so, the petitioner wants to remove the name of Periyasamy. Such representation made by the petitioner cannot be considered either by the first respondent or the second respondent or the fourth respondent to whom the representation has been made. If the petitioner is aggrieved by the inclusion of Periyasamy in the Patta, the removal of such name can be done only by way of filing an appeal before the Revenue Divisional Officer under the Patta Pass Book Act.

4. In view of the above, the relief sought for in this Writ Petition cannot be granted and it is left open to the petitioner to file an appeal before the third respondent namely, the Revenue Divisional Officer, Srirangam Zone and seek for the appropriate relief. Except giving this liberty, no further orders can be passed in this Writ Petition.

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

NCC : Yes/No
Index : Yes/No
smn2

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N.ANAND VENKATESH, J.

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