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W.P.(MD)NO.18138 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18138 of 2023 AND
W.M.P.(MD)No.25590 of 2023

S.Sathyamoorthi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Fort St. George, Secretariat,
Chennai – 600 009.
2. The Commissioner
Commissionerate of Land Administration,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai.
3. The District Collector,
Madurai District,
Madurai.
4. The District Revenue Officer,
O/o.District Revenue Office,
Madurai District,
Madurai.
5. Revenue Divisional Officer(RDO),
O/o.Revenue Divisional Office J1 Section,
Collectorate Campus,
Madurai District.
6. The Tahsildar,
Tahsildar Office,
Melur Taluk,



Madurai District.

... Respondents

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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 effect necessary amendments in all the revenue records such as patta, chitta, village FMB, "A" Register and Adangal to show the ownership of the petitioner for the property pertaining to Survey No.125/2 situated at Ambalakaranpatti, Melur Taluk, Madurai District within the time frame fixed by this Court.

For Petitioner : Ms.D.Ramya

For Respondents: Mr.C.Satheesh,
Government Advocate.

* * *

ORDER

Heard both sides.

2. It is beyond dispute that the land in question was assigned in favour of one N.Kandasamy. Kandasamy passed away on 01.05.1991. The original assignment order has been produced before me. Subsequently, there was also mutation of patta. It appears that subsequently the land has been



classified as Panchami Tharisu. As a result, the petitioner is unable to deal with the property. The prayer made in the writ petition is for issuance of fresh patta in the joint names of the legal heirs of Kandasamy. No exception can be taken to this request. The deceased Kandasamy is said to be a freedom fighter. For whatever reason when the assignment has been made in his favour by the Government themselves, it is not fair on the part of the administration to deprive the rights of the legal heirs of the deceased Kandasamy.

3. The respondents are directed to effect necessary changes in all the relevant records. The revenue records such as Patta, Chitta, Village FMB, "A" Register and Adangal shall reflect the joint names of the legal heirs of the deceased Kandasamy. This shall be done within a period of three months from the date of receipt of a copy of this order. This writ petition stands allowed. No costs. Consequently, connected MP. is closed.

15.12.2023

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



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G.R.SWAMINATHAN,J.

PMU

To:

1. The Secretary to Government,
Revenue Department, Fort St. George, Secretariat,
Chennai – 600 009.
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Commissionerate of Land Administration,
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2nd Floor, Ezhilagam, Chempauk, Chennai.
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O/o.District Revenue Office,
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6. The Tahsildar,
Tahsildar Office, Melur Taluk, Madurai District.

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