



W.P(MD)Nos.13172 to 13176 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.13172 to 13176 of 2015

and

M.P.(MD)Nos.1,1,1,1&1 of 2015

In W.P.(MD)No.13172 of 2015

Yagna Narayanan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Office of the Tahsildar,
Ambasamuthiram,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to issue patta based on the title deeds of the Petitioner and her vendors and also to carry out necessary corrections in the Revenue Records pertaining to Survey No. 1741/1 (Old Survey No. 702/1A1A1) part situated in Charanmahadevi Village, Tirunelveli District to an extent of 269.62sq.mts., situated in Charanmahadevi Village, Tirunelveli District.



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For Petitioner : Mr.V.Perumal
For Respondents : Mr.S.Shanmugavel
(in all W.Ps) Additional Government Pleader

COMMON ORDER

Heard the learned counsel on either side.

2. The writ petitioners herein had purchased a small piece of land vide registered sale deeds. They seek patta in their names.

3. The learned counsel for the petitioners reiterated all the contentions set out in the affidavit filed in support of the writ petitions and called upon this Court to grant relief as prayed for.

4. The learned Additional Government Pleader submitted that a field inspection was conducted by the Tahsildar, Cheranmahadevi. It is seen that a primary health centre and water body has been constructed in S.No.1741/1. The learned counsel for the petitioners states that the primary health centre and the water tank does not



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occupy the old Survey No.1741/1. Even according to the respondents, in the revenue record, the land has been classified as “காலிநத்தம்”. The property belonged to family of one Somayajiyar who had executed the settlement deed for establishing a school way back in the year 1957. Since the object for which settlement was made was not fulfilled in the year 1987, the settlement was cancelled.

5. The learned counsel for the petitioner states that revocation of settlement was not formally challenged in writ proceedings. Instead, O.S.No.86 of 2004 was filed before the District Munsif Court, Cheranmahadevi. On 22.10.2018, the suit was dismissed for default. In these circumstances, a direction can very well be given to the second respondent for considering the application submitted by the petitioners for issuance of patta. If the second respondent is of the view that he may not have jurisdiction, the petitioner's application shall be referred to the Special Tahsildar (Natham). A decision on merits and in accordance with law will be taken within a period of twelve weeks from the date of receipt of a copy of this order.

G.R.SWAMINATHAN, J.



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6. These Writ Petitions are disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

25.07.2023

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

1.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Office of the Tahsildar,
Ambasamuthiram,
Tirunelveli District.

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