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W.P.(MD)NO.5477 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5477 of 2015 AND
M.P.(MD)Nos.1 & 2 of 2015

M.S.Geetha

... Petitioner

Vs.

1. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

2. The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

3. Akilandam @ Akilandeshwari

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.Aa1/1452/2013 dated 22.03.2013 and quash the same as illegal and consequently directing the second respondent to change the patta in the petitioner's name.

For Petitioner : No appearance.

For R-1 & R-2 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-3 : No appearance.

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ORDER

When the matter was taken up for hearing on 07.08.2023, none appeared for the petitioner. The case was posted under the caption “ for dismissal”. Today also there is no representation on behalf of the petitioner.

2. I went through the contents of the affidavit filed in support of the writ petition.

3. One Balusamy owned the petition-mentioned property. He had two wives; a) Dhanammal and b) Akilandam (third respondent herein). Balusamy executed a settlement deed settling the petition-mentioned property in favour of Akilandam vide document No.2/89 dated 27.01.1989. While so, after the demise of Balusamy, Thiru.Kani born through the first wife got his name entered in the revenue record. The said Kani sold the property in favour of one Vennimuthu. The said Vennimuthu subsequently sold the property in favour of the petitioner Geetha on 11.10.2010. At this stage, Akilandam applied to the first respondent pointing out that the revenue



record should reflect her name and not the name of Vennimuthu. The case of Akilandam was accepted and that the impugned order came to be passed on 22.03.2013. As a result, Vennimuthu's name was deleted and Akilandam's name was incorporated in the revenue record. Challenging the same, the present writ petition has been filed.

4. The sequence of events as mentioned above would indicate that the revenue authority rightly accepted the case of Akilandam. If the petitioner feels aggrieved, her remedy is to go before the jurisdictional civil Court. In this writ petition, no remedy or relief can be granted. Granting liberty to the petitioner as mentioned above, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08.08.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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W.P.(MD)NO.5477 OF 2015

G.R.SWAMINATHAN,J.

PMU

To:

1. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
2. The Tahsildar,
Kariapatti Taluk,
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