



W.P.(MD)No.21124 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.21124 of 2021

V.Jeyapaul Sathiasaran

... Petitioner

Vs.

1.The District Collector,
District Collector's Office,
Dindigul,
Dindigul District.

2.The Revenue Divisional Officer,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

4.The Assistant Director of Survey and Land Records,
Dindigul,
Dindigul District.

... Respondents

*(R-4 is impleaded vide Court Order dated 06.12.2021
in W.M.P(MD)No.17975 of 2021 in W.P.(MD)No.21124 of 2021)*



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 11.11.2021, 17.08.2021, 27.09.2021, 04.10.2021, 06.10.2021 and 11.10.2021 and consequently direct the third respondent to rectify the arithmetical error crept in Patta No.7122 in respect of the extent of property and to issue Patta with proper extent as per original extent.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.R.Ragavendran,
Government Advocate.

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to consider the representations made by the petitioner wherein the petitioner is seeking for rectification of error that has crept in Patta No.7122 with respect to the extent of property.

2. The case of the petitioner is that as per the settlement patta issued by the fourth respondent, Patta No.2647 was issued in the name of the vendor of the petitioner and there was an error in mentioning the total extent of the property. According to the petitioner, the total extent ought to have been



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mentioned as 16 acres 97 cents and instead, it has been mentioned as 8 acres 66

cents. The petitioner has purchased this property and he noticed that there was an arithmetical error. The petitioner made repeated representations in this regard to rectify the original error. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. The third respondent has filed a counter affidavit. The third respondent has taken a stand that there are totally four properties comprised in Survey Nos.1971, 1972, 1974 and 1980/4. According to the third respondent, the applications submitted by the petitioner were considered and patta was issued only with respect to the land in Survey No.1980/4 to an extent of 3.50.50 hectares. It is further stated by the third respondent that survey numbers 1971, 1972 and 1974 are classified as 'Odai' and 'Government Assessed Barren lands' in the revenue records. In view of the same, the request made by the petitioner cannot be acted upon by the third respondent.

4. The petitioner is placing reliance upon the proceedings of the fourth respondent and is making a claim for patta to an extent of 16 acres and 97 cents. The representations are before the third respondent. The third respondent has to take a decision one way or the other and convey the same to the petitioner. If



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ultimately, the request of the petitioner is not granted by the third respondent, the petitioner at least will have an opportunity to question the same in the manner known to law.

5. In view of the above, there shall be a direction to the third respondent to deal with the representations made by the petitioner and to convey the decision to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner has placed reliance upon the proceedings of the fourth respondent who is said to have granted the settlement patta. This shall be kept in mind by the third respondent while dealing with the representations and conveying the result of the proceedings.

6. This Writ Petition is disposed of, with the above directions. No costs.

20.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

Nsr



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To

WEB COPY

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N.ANAND VENKATESH, J.

Nsr

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