



WEB COPY



WP.No.10299 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.10299 of 2024

N.Muthuraman

.. Petitioner

Versus

1. The District Collector,
Mayiladuthurai District, Myladuthurai.

2. The Tahsildar,
Tharangambadi Taluk, Tharangambadi,
Mayiladuthurai District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the Order dated 01.12.2022 made in Tha.Pa.22/2022/Aa4 on the file of the second respondent herein and quash the same and consequently direct the respondents to issue to the petitioner's property to the extent of 5961 square feet [554 square meter] situated in Survey No.743/9, Poraiyar Village, Tharangambadi Taluk, Mayiladuthurai District.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.A.Selvendran
Special Government Pleader



WP.No.10299 of 2024

ORDER

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With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned Order dated 01.12.2022 made in Tha.Pa.22/2022/Aa4 on the file of the second respondent herein and consequently direct the respondents to issue to the petitioner's property to the extent of 5961 square feet [554 square meter] situated in Survey No.743/9, Poraiyar Village, Tharangambadi Taluk, Mayiladuthurai District.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. The case of the petitioner is that the petitioner purchased to an extent of 5961 sq.ft. in Suvey No.743/9, Poraiyar Village by way of registered sale deed dated 03.02.2006. It is the grievance of the petitioner that while the revenue authorities classified as Natham settlement, sites have been wrongly



WP.No.10299 of 2024

recorded despite the fact that there was a building existed even prior to 1987 and the revenue authorities are willing to issue patta only to an extent 0481 sq.meters instead of 0554 sq.meters in view of the wrong entires in the revenue records. Hence, challenging the impugned Order, the present Writ Petition has been filed.

5. The learned Special Government Pleader appearing for the respondent submitted that on the extent available the impugned Order has been passed.

6. At this stage, the learned counsel appearing for the petitioner submitted that if the survey is done in his presence, he will be satisfied.

7. In such view of the matter, the Order impugned is set aside and the matter is remanded back to the second respondent and the second respondent shall survey the land as per the sale deed of the petitioner dated 03.02.2006 in the presence of the petitioner and pass Order afresh. Such an exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.



WP.No.10299 of 2024

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17.04.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The District Collector,
Mayiladuthurai District, Myladuthurai.
2. The Tahsildar,
Tharangambadi Taluk, Thrarangambadi,
Mayiladuthurai District.



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WP.No.10299 of 2024

N. SATHISH KUMAR, J.

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W.P.No.10299 of 2024

17.04.2024