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W.P.No.27186 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.27186 of 2024

Dhavamani

...Petitioner

Vs.

1. The District Collector,
Ariyalur.
 2. The Revenue Divisional Officer,
Ariyalur.
 3. The Tahsildar,
Ariyalur.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent / Tahsildar, Ariyalur to alter the revenue records in the name of petitioner for Survey No.326/3 to an extent of 0.35.0 Ares situated at Thelur Village, Ariyalur Taluk & District, on considering the decree and judgment dated 31.01.2011 passed in O.S.No.296 of 2007 by the Principal District Munsif Court, Ariyalur and judgment dated 02.12.2020 passed in O.S.No.12 of 2009, by the Additional District Munsif Court, Ariyalur and by considering the petitioner's representation dated 01.07.2024.



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For Petitioner : Mr.R.Venkatesulu
for M/s.Usha Ramman

For R1 to R3 : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the third respondent to alter the revenue records in the name of the petitioner in respect of the property in Survey No.326/3 to an extent of 0.35.0 Ares situated at Thelur Village, Ariyalur Taluk & District, in the light of the Judgment and decree dated 31.01.2011 passed by the Principal District Munsif Court, Ariyalur in O.S.No.296 of 2007, and the judgment and decree dated 02.12.2020 passed by the Additional District Munsif Court, Ariyalur, in O.S.No.12 of 2009, by considering her representation dated 01.07.2024.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.



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3. According to the petitioner, she filed a suit in O.S.No.296 of 2007 seeking declaration of title and mandatory injunction for issuance of patta in respect of the property in Survey No. 326/3 and the same was decreed in her favour as early as on 31.01.2011. Subsequently, the petitioner filed another suit in O.S.No.12 of 2019 seeking necessary changes in the revenue records in her name in respect of the subject property and the same was also decreed on 02.12.2020. In spite of the same, the respondents have not implemented the said decrees and therefore the petitioner submitted a representation dated 01.07.2024 seeking correction of the revenue records in the name of the petitioner and the same has not been considered till date. Aggrieved by the same, the petitioner has come up by way of this writ petition.

4. Mr.P.Sathish, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submitted that the respondents have not filed any appeal challenging the civil Court decrees passed in O.S.No.296 of 2007 and O.S.No.12 of 2009.



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5. The above said statement made by the learned Additional Government Pleader is recorded.

6. This court is of the opinion that in view of the above submission made by the learned Additional Government Pleader that the civil court decrees have not been challenged, there is no difficulty for the respondents to consider the representation of the petitioner dated 01.07.2024 with regard to necessary changes in the revenue records in respect of the property belonging to the petitioner, in accordance with law. Therefore, the third respondent is directed to consider the petitioner's representation dated 01.07.2024 and pass final orders, after issuing notice to all interested parties, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

20.09.2024

Index : Yes/No
Internet : Yes/No



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Speaking Order/Non-Speaking Order

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To

1. The District Collector,
Ariyalur.
2. The Revenue Divisional Officer,
Ariyalur.
3. The Tahsildar,
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S. SOUNTHAR, J.

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