



W.P. No. 27056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

CORAM

THE HON'BLE Ms. JUSTICE P.T.ASHA

**W.P. No. 27056 of 2024
and W.M.P. No. 29570 of 2024**

M.Arivazhagan

... Petitioner

-VS-

1. The District Collector
Tiruvannamalai District
Tiruvannamalai.
2. The District Revenue Officer
Tiruvannamalai District
Tiruvannamalai.
3. The Revenue Divisional Officer
Tiruvannamalai District
Tiruvannamalai.
4. The Tahsildar
Thandrapattau Taluk
Tiruvannamalai District.

5. K.Mari

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondents to grant Patta to petitioner for the lands comprised in Survey No.149/8 situated in Mothakkal Village, Thandrapattu Taluk, Tiruvannamalai District based on the



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representation dated 14.11.2023 as well as the proceedings of the third respondent in O.Mu.No.A3/7976/2023 dated 18.11.2023 within a stipulated period.

For Petitioner : Mr.M.Loganathan

For Respondents : Mr.A.Selvendran, SGP (RR 1 to 4)
Mr.P.Ganesan (R5)

ORDER

The petitioners seek directions to the third respondent to pass orders on his representation dated 14.11.2023.

2. The petitioner in the said representation would seek Patta in respect of the lands comprised in Survey No. 149/8 of Mothakkal Village, Thandrapattu Taluk, Tiruvannamalai District.

3. A perusal of the documents filed along with the writ petition would indicate that the property was being cultivated by the petitioner's father, but the revenue entries were wrongly made in favour of one Kulla Gounder. Though several representations were given to change the name in the patta, the revenue authorities had not responded and therefore, to bring a quietus to the issue, Kulla Gounder had executed a sale deed in favour of the petitioner's father.



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4. The fifth respondent thereafter filed a suit in O.S. No. 55 of 2020 on the file of the District Munsif Court cum Judicial Magistrate, Thandrapattu. The fifth respondent, the son of the Kollu Gounder he had filed the suit for declaration and injunction against the petitioner's father, who died pending the suit and the petitioner and his siblings were impleaded as parties.

5. After elaborately considering the case, the learned District Munsif cum Judicial Magistrate, Thandrapattu by judgment and decree dated 06.12.2021 was pleased to dismiss the suit holding that the fifth respondent did not have any right to the property. The fifth respondent had also filed a writ petition in W.P. No. 12150 of 2024 to survey and measure the property and the same was disposed directing to survey and demarcate the property, after giving opportunity to the petitioner and the interested parties.

6. The petitioner had filed objection before the authorities. The reasons for the interference was on account of wrong entries in the patta. Therefore, the petitioner had submitted an application to the fourth respondent to correct the wrong entries in the patta based on the application that was made on 14.11.2023. Thereafter, on 18.11.2023, the third respondent had sent a



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communication to the Tahsildar forwarding the petitioner's application dated

08.11.2023s and 14.11.2023, which have not been disposed of to-date.

7. In the light of the fact that these petitions have been kept pending all this way, a mandamus is issued to the fourth respondent to consider and pass orders on the petitioner's representation dated 08.11.2023 and 14.11.2023 within a period of eight weeks from the date of receipt of a copy of this order. Notice shall be issued by the fourth respondent and after hearing both parties by giving them a personal hearing, the fourth respondent shall pass speaking orders.

8. Accordingly, the writ petition is allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

14.11.2024

Index: Yes/No

NCC: Yes/No

Maya

To

1. The District Collector
Tiruvannamalai District
Tiruvannamalai.

2. The District Revenue Officer
Tiruvannamalai District
Tiruvannamalai.



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3. The Revenue Divisional Officer
Tiruvannamalai District
Tiruvannamalai.

4. The Tahsildar
Thandrapattai Taluk
Tiruvannamalai District.



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P.T.ASHA, J.

Maya

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