



WP.No.35405 of 2024

In the High Court of Judicature at Madras

Dated : 29.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35405 of 2024

Mr.K.A.Kudbudeen rep.by his
power agent Mrs.K.Aasiya Begum

...Petitioner

Vs

1.The Collector, Office of the
Collector, Mayiladuthurai
District-1.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional
Officer, Mayiladuthurai District-1.

3.The Tahsildar, Office of the
Tahsildar, Mayiladuthurai District-1.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to dispose of the application preferred by the petitioner dated 12.7.2024 in the light of Section 3 of the Tamil Nadu Patta Pass Book Act, 1983 by this Court.

For Petitioner : Mr.A.Ansar
For Respondents : Mr.A.Selvendran, SGP

ORDER

A Mandamus is sought for by the petitioner to the respondents



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to dispose of his application dated 12.7.2024 seeking a change of category of the lands in the town survey register.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. To appreciate the petitioner's request, it would be necessary to briefly allude to the following facts as set out in the affidavit filed in support of the writ petition :

(i) The power agent of the petitioner is none other than his wife. Her husband - the petitioner purchased a property in survey No.23/48 situated in Kamarajar Salai at Mayiladuthurai Town from one Mrs.P. Kokilavani on 10.5.2010 vide doc.No.1042 of 2010 on the file of the Sub-Registrar-1, Mayiladuthurai. They have been in possession and enjoyment of the said property from the date of purchase. Since the petitioner was working abroad, he appointed his wife as the power agent to look after his affairs and the same is still in force.

(ii) In respect of the said property, the power agent of the petitioner made an application for mutation of the revenue records and at that point of time, she was informed that the said property has been classified as grama samudhayam and it has been registered in



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the town survey register as such. The power agent was absolutely clueless about the same. Thereafter, the power agent of the petitioner made a representation dated 12.7.2024 to the respondents seeking to rectify the error. But, the third respondent, to whom, the duty is cast to call for the records, verify them and thereafter take steps to issue patta, has not acted in a manner required of him. Hence the writ petition.

4. In the light of the above stated facts and taking note of the fact that a duty is cast upon the third respondent, the writ petition is allowed and a Mandamus is issued to the third respondent to dispose of the said representation of the petitioner dated 12.7.2024 within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

29.11.2024

To

- 1.The Collector, Office of the
Collector, Mayiladuthurai
District-1.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional
Officer, Mayiladuthurai District-1.
- 3.The Tahsildar, Office of the
Tahsildar, Mayiladuthurai District-1.



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P.T.ASHA,J

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