



W.P.No.31097 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

**THE HONOURABLE MR. JUSTICE S. SOUNTHAR**

W.P No.31097 of 2024

T.Kamalam

...Petitioner

Vs.

1. The District Collector,  
District Colletorate,  
Namakkal District.
2. The Revenue Divisional Officer,  
Office of Revenue Divisional Office,  
Namakkal Division,  
Namakkal District.
3. The Tahsildar,  
Taluk Office, Rasipuram Taluk,  
Namakkal District.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to update the on-line entry of the revenue records in the official website of the Department of Survey and Settlement of Lands, Tamil Nadu for the land in survey No.186/4A, measuring 0.35.5 ares, situated at Akkaraipatty Village, Rasipuram Taluk, Namakkal District based on the petitioner's representation dated 06.09.2024 within a reasonable time as fixed by this Court.



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For Petitioner : Mr.L.Ramanathan  
For Respondents : Mr.S.J.Sathik Mohamed  
Government Advocate

### **ORDER**

The petitioner herein seeks a direction to the respondents to update the on-line entry of the revenue records pertains to Survey No.186/4A, measuring 0.35.5 ares, situated in Akkaraipatty Village, Rasipuram Taluk, Namakkal District, by considering her representation dated 06.09.2024.

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.

3. Heard Mr.L.Ramanathan, learned counsel for the petitioner and Mr.S.J.Sathik Mohamed, learned Government Advocate, who takes notice for the respondents.

4. It is the case of the petitioner that 0.40.5 ares of lands in survey No.186/4 originally belonged to petitioner's father R.Rangasamy Gounder. He



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gifted 0.05.0 ares of lands to the Government for the purpose of public utility.

Therefore, a sub division was effected and new sub division No.186/4A was assigned to the remaining property with an extent of 0.35.5. The extent of 0.05.0 ares gifted to the government was given sub division No.186/4B. Subsequently, there was a mis-understanding between the petitioner and her father and her mother filed a suit for partition in O.S.No.323 of 2008 on the file of the Sub Court, Namakkal, claiming share in the subject property which according to the petitioner is an ancestral property and the same was dismissed. Aggrieved by the same, the petitioner filed an appeal suit in A.S.No.14 of 2012 on the file of the Principal District Judge, Namakkal. The first appellate Court reversed the preliminary decree granted in favour of the petitioner. Aggrieved by the same, the petitioner's siblings filed second appeal in S.A.No.947 of 2013 and the same is pending before this Court. In the meantime, the petitioner's father died and later, it was found in the on-line records, the entire properties situated in survey No.186/4A has been entered as the Government land. Therefore, the petitioner submitted a representation dated 06.09.2024 before the respondents seeking deletion of the said entry and restoration of the revenue records in the name of the petitioner's father. The said representation has not been considered till date. Therefore, the petitioner



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is before this Court.

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5. It is not in dispute that there is a second appeal pending before this Court, in respect of the right over the subject property between the petitioner's and her siblings. Therefore, the representation submitted by the petitioner cannot be considered without hearing the siblings of the petitioner.

6. In view of the above, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the petitioner to furnish the memorandum of second appeal in S.A.No.947 of 2013, before the third respondent within a period of two weeks from the date of receipt of a copy of this order to enable him to issue notice to the interested parties. The third respondent shall consider the representation of the petitioner dated 06.09.2024 and pass final orders, after issuing notice to the petitioner, her siblings and any other interested parties, within a period of twelve weeks thereafter.

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

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Index : Yes/No



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Internet : Yes/No  
Speaking Order/Non-Speaking Order

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To

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**S. SOUNTHAR, J.**

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