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WP.No.37239 of 2024

In the High Court of Judicature at Madras

Dated : 12.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37239 of 2024

P.Arun Vijay

Vs

...Petitioner

1.The District Collector, District
Collector Office, Villupuram
Taluk, Villupuram District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tindivanam Taluk,
Villupuram District.

3.The Revenue Tahsildar,
Revenue Tahsildar Office,
Melmalaiyanur Taluk,
Villupuram District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the official respondents to issue patta for survey No.22/5C for an extent of 0.16.5 Acres in Avalurpettai Sub Division, Vadukapoondi Village, Genjee, Villupuram District in the name of the petitioner as per the decree dated 22.1.2016 on the file of Additional District Munsif Court, Genjee in O.S.No.203 of 2010 and as per the order of the 2nd respondent dated 11.1.2024 in Na.Ka.Aa2/1347214/2023.



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For Petitioner : Ms.V.Rani
For Respondents : Mr.V.Selvendran, SGP

ORDER

Seeking a direction to the third respondent to issue patta in respect of the property measuring 0.16.5 Acres in survey No.22/5C in Avalurpettai Sub Division, Vadukapoondi Village, Genjee, Villupuram District in his name as per the decree dated 22.1.2016 on the file of Additional District Munsif Court, Genjee in O.S. No.203 of 2010 and as per the order of the District Revenue Officer dated 11.1.2024, the petitioner is before this Court.

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

3. The case of the petitioner is that the said property belonged to one Mr.Kuppa Gounder, who is none other than his grandfather. One Mr.Munusamy illegally mutated the revenue records in his name without any parent document in support of him. Hence, the petitioner's grandfather filed O.S.No.203 of 2010 on the file of the Additional District Munsif Court, Gengee against the said Mr.Munusamy as well as the Tahsildar, Gengee and the District Collector, Villupuram seeking a decree for declaration and for permanent injunction in respect of the



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suit property and for a mandatory injunction directing the official defendants to transfer patta in the name of his grandfather. The said suit was decreed by judgment and decree dated 22.1.2016.

4. The petitioner's grandfather died on 10.9.2018. Thereafter, the petitioner made several representations, which had been turned down. The petitioner was also not able to get the revenue records prior to 2003 and he had resorted to initiate proceedings under the Right to Information Act. The petitioner sent a representation dated 14.12.2023 to the first respondent, for which, vide communication dated 11.1.2024, the District Revenue Officer, Villupuram directed the third respondent to take appropriate action and report the same to him. Despite that, the request of the petitioner has not been considered. The petitioner also gave several representations to the Chief Minister Cell and the last of such representations is dated 15.4.2024 seeking to delete the name of the said Mr.Munusamy from the existing patta as per the decree dated 22.1.2016 in O.S.No.203 of 2010. But, it did not evoke any response. Hence the writ petition.

5. Considering the fact that the third respondent has not acted upon the decree of the Civil Court and the directions of his superior, the writ petition is allowed and the third respondent is directed to



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consider the case of the petitioner for the deletion of the name of the said Mr.Munusamy in the patta and for the inclusion of the name of the petitioner in the patta pursuant to the decree dated 22.1.2016 in O.S.No.203 of 2010 on the file of the Additional Munsif Court, Gengee, Villupuram District and the communication of the District Revenue Officer, Vilupuram dated 11.1.2024 to the third respondent within a period of six weeks from the date of receipt of a copy of this order. No costs.

12.12.2024

To

- 1.The District Collector, District
Collector Office, Villupuram
Taluk, Villupuram District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tindivanam Taluk,
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- 3.The Revenue Tahsildar,
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