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W.P.No.36477 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.36477 of 2024

N.Natarajan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Attur, Salem District.

2. The Thasildar,
Office of the Thasildar,
Thalaivasal, Attur Taluk,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the respondents herein to mutate the name of the petitioner and Rajammal in the revenue records including Patta, Chitta, Adangal and other related records with respect of the property comprised in SF.No.509/5 of Kattukottai Village, Salem District by considering the representation of the Petitioner herein dated 17.05.2023.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

Mr.P.Sathish, learned Additional Government Pleader, takes notice on



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behalf of the Respondents.

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2. The case of the Petitioner is that the Petitioner's father had purchased the property measuring an extent of 3.72 acres comprised in SF.No.509/5 of Kattukottai Village, Salem District from one Pulliappan under a registered Sale Deed dated 03.06.1983. After the purchase of the subject property, the Revenue Records were mutated in his name. The Petitioner's father died intestate on 11.05.2016 leaving behind his wife Rajammal and the Petitioner as the legal heirs. The Petitioner would submit that when he had attempted to obtain agricultural loans by offering the subject property as security, he came to learn that on the encumbrance certificate the subject property which the Petitioner's father had purchased was wrongly noted as Survey No.509/2 instead of 509/5. Therefore, the Petitioner has made a representation to correct the error and since this representation had not been considered, the Petitioner had filed W.P.No.14846 of 2024 for a mandamus directing the Respondents to correct the survey number as SF.No.509/5 instead of SF.No.509/2 in the encumbrance certificate. This Court had disposed of the Writ Petition with a direction to consider the representation of the Petitioner. Thereafter, the Registering Authorities have also corrected the error. After the Petitioner's



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father's demise the Petitioner had made an application for having the Revenue Records mutated in the name of the Petitioner and his mother. The representation which was made as early as on 17.05.2023 has not been considered to date. Therefore, the Petitioner is before this Court.

3. Heard the learned counsel on either side.

4. Considering the narration of events and on perusing the documents it is clear that the Respondents after correcting the error in the Patta standing in the name of the Petitioner's father has failed to consider and pass orders on the Petitioner's representation dated 17.05.2023, seeking Patta in the name of the Petitioner and his mother Rajammal. Nearly an year and a half has passed since the representation has been given. The Respondents has failed to discharge their statutory duty. Therefore, the Writ Petition is allowed and a mandamus is issued to the Petitioner to consider the representation of the Petitioner dated 17.05.2023 and grant Patta in favour of the Petitioner in respect of SF.No.509/5, Kattukottai Village within a period of six (6) weeks from the date of receipt of a copy of this Order. No costs.

10.12.2024



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Index : Yes/No

Speaking/Non-speaking Order

Neutral Citation :Yes/No

rgm

P.T.ASHA, J.

rgm

To

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Office of the Thasildar,
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