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WP.No.38511 of 2024

In the High Court of Judicature at Madras

Dated : 20.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38511 of 2024

A.Paramasivan

Vs

...Petitioner

- 1.The District Collector,
Office of the District
Collector, Perambalur
District, Perambalur.
- 2.The Sub-Collector, Office
of the Sub-Collectorate,
Perambalur District,
Perambalur.
- 3.The Tahsildar, Taluk
Office, Perambalur.
- 4.The Village Administrative
Officer, Office of the Village
Administration (North),
Perambalur.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing to consider the representation dated 18.11.2024 to the respondents and consequently to direct the respondents to correct the name in the patta with respect to the properties in old survey Nos.467/1, 467/14 and 467/24 situated in Perambalur Village, Perambalur Taluk, Perambalur District in the



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light of the order in proceedings Mu.Muu./A2/5623/2015 dated 19.8.2015 on the file of the third respondent.

For Petitioner : Mr.E.Senthilkumar
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the respondents to consider his representation dated 25.6.2024 to correct the name in the patta in respect of the property in old survey Nos.467/1, 467/14 and 467/24 situated in Perambalur Village, Perambalur Taluk & District pursuant to the proceedings in Mu.Muu.A2/5623/2015 dated 19.8.2015 on the file of the third respondent, 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 as follows :

(i) The said properties belonged to the petitioner's grandfather. The petitioner's grandfather shifted to Sri Lanka to eke out his livelihood and in 1949, he died leaving behind the petitioner's father as his legal heir. The petitioner's father was extradited to India in the year 1978 and was shifted to Srilankan Repatriate Camp.



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(ii) Subsequently, the Special Deputy Collector (Rehabilitation), Perambalur District issued a repatriate certificate on 22.11.1983 to the father of the petitioner tracing the origin and residence of the petitioner's grandfather by adding the list of properties owned by him. The petitioner's father died on 17.9.2004 leaving behind him his wife, his son - the petitioner and his four daughters as the legal heirs. That being so, it came to light that the patta in respect of old S.Nos.467/1, 467/14 and 467/24 was found to have been issued to various persons during implementation of the UDR scheme.

(iii) Expressing her grievance, the petitioner's mother sent a representation dated 23.2.2015 to the third respondent, who also, by proceedings dated 19.8.2015, affirmed the error in the issuance of patta and directed to rectify the error. But, to date, the said order has not been implemented by the fourth respondent. The petitioner's mother also died on 23.9.2024. Hence, the petitioner made a representation dated 25.6.2024 to the respondents seeking rectification in the patta. However, nothing was forthcoming. Hence the writ petition.

4. On a perusal of the certificate dated 22.11.1983 issued by the Special Deputy Collector (Rehabilitation), Perambalur District and the proceedings of the third respondent dated 19.8.2015, it is clear that



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the subject properties were inherited by the petitioner and his sisters.

However, the patta was transferred to various other persons.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the respondents to consider the said representation of the petitioner dated 25.6.2024 to rectify the names in the patta in respect of the properties in old survey Nos.467/1, 467/14 and 467/24 situated in Perambalur Village, Perambalur Taluk & District in the light of the proceedings in Mu.Muu. A2/5623/2015 dated 19.8.2015 on the file of the third respondent and pass appropriate orders within a period of four months from the date of receipt of a copy of this order. No costs.

20.12.2024

To

- 1.The District Collector, Office of the District Collector, Perambalur District, Perambalur.
- 2.The Sub-Collector, Office of the Sub-Collectorate, Perambalur District, Perambalur.
- 3.The Tahsildar, Taluk Office, Perambalur.
- 4.The Village Administrative Officer, Office of the Village Administration (North), Perambalur.



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P.T.ASHA,J

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