



W.P(MD)No.815 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.815 of 2024

V.Erulandi

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4.The Tahsildar,
Peraiyur,
Madurai District.

5.Marimuthu

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to pass appropriate orders in enquiry conducted in Na.Ka.No.



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51491/2021/G5 dated 16.12.2021 to make necessary correction entries in Survey No.167/11B situated Mathakarai Village, Paraiyur Taluk, Madurai District within the time frame fixed by this Court.

For Petitioner : Mr.G.S.Senthilkumar

For Respondents : Mr.D.Gandhi Raj
Spl. Govt. Pleader for R1 to R4

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the second respondent to pass appropriate orders in the enquiry conducted as per the letter in Na.Ka.No.51491/2021/G5 dated 16.12.2021 and to make necessary corrections in the Land Revenue Records with regard to Survey No.167/11B situated at Mathakarai Village, Peraiyur Taluk, Madurai District, within the time frame fixed by this Court.

2. Mr.D.Gandhi Raj, learned Special Government Pleader takes notice for the respondents 1 to 4. Considering the nature of the order proposed to be passed, protecting the interest of the fifth respondent, notice to him is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. The learned counsel for the petitioner would submit that the petitioner has purchased a vacant land in Survey No.167/11 to an extent of 538.46 sq.ft., through a sale deed in Document No.2294/2011 dated 11.04.2011. The said land consists a total extent of 1 Ares. Thereafter, the patta was issued by the 4th respondent jointly including the 5th respondent's name. Further sub-division was made in Survey No.167/11 as Survey Nos. 167/11A and 167/11B. As per the sub-division, Survey No.167/11A is shown to the extent of 60 Ares and the said survey number was allotted to the 5th respondent and Survey No.167/11B is shown to the extent of 0.40 Ares and the said survey number was allotted to the petitioner herein. The learned counsel for the petitioner would further submit that as per the sale deed dated 11.04.2011, the extent of land is 538.46 sq.ft. But the patta was issued to him for 40 Ares alone instead of 50 Ares, which is not correctly calculated by the 4th respondent. Hence, the petitioner made a representations to the respondents 1 to 4 dated 13.11.2021, 25.11.2021 and 08.02.2022 respectively. But the respondents 1 to 4 without making correction, made entry in the Land Revenue Records with regard to the sub-division of Patta No.1577 in Survey No.167/11. The 3rd respondent on 13.12.2021, forwarded the application sent by the petitioner to the 4th



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respondent vide proceedings in Na.Ka.No.3710/2021/A2 to conduct enquiry and file report before the 3rd respondent. But till date the 4th respondent has neither conducted any enquiry till date nor passed any order. Further, on 16.12.2021, the 2nd respondent sent a summon to the petitioner in proceedings in Na.Ka.No.51491/2021/G5 dated 16.12.2021 to appear before him with necessary documents and the petitioner has also appeared before the 2nd respondent with all the necessary documents which are required for making corrections in respect of the land in Survey No.167/11B. But, the 2nd respondent also not considered the documents produced by the petitioner and conducted the enquiry. Hence, the petitioner has come before this Court for issuance of a direction to the 2nd respondent to conduct the enquiry. He would further submit that it would suffice if the representation of the petitioner dated 08.02.2022 is disposed of by the respondents, on merits and in accordance with law within the time stipulated by this Court.

4. Considering the limited scope of the prayer sought for by this petitioner, this Court, without going into the merits of the claim made by the petitioner in this Writ Petition, directs the 2nd respondent to conduct enquiry in Na.Ka.No.51491/2021/G5 dated 16.12.2021 and pass appropriate orders



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on the representation of the petitioner, dated 08.02.2022 on merits and in accordance with law, after giving notice to the interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

12.01.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJL

To

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2.The District Revenue Officer,
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3.The Revenue Divisional Officer,
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V.BHAVANI SUBBAROYAN, J.

PJL

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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