



W.P.(MD)No.1008 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 19.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.1008 of 2024

Arulsamy

...Petitioner

/Vs./

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Pattukkottai,
Thanjavur District.

2.The Tahsildar,
Tahsildar Office,
Peravurani,
Thanjavur District.

3.Firka Surveyor,
Peravurani Firka-II,
Tahsildar Office,
Peravurani,
Thanjavur District.

4.Durairaj

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent not to make any changes in the extent of revenue records of petitioner properties in Survey Nos.106/1A3 extent 1 Ares, Survey No.110/13B extent 1.5



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Ares, survey No.106/9 extent 0.5 Ares situated at Peravurani Town and Taluk, Thanjavur District without following due process of law on the basis of his representation dated 04.01.2024.

For Petitioner : Mr.R.Prasanna

For Respondents : Mr.A.Kannan (R1 to R3)

Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the second respondent not to make any changes in the extent of revenue records of petitioner properties in Survey Nos.106/1A3 extent 1 Ares, Survey No.110/13B extent 1.5 Ares, survey No.106/9 extent 0.5 Ares situated at Peravurani Town and Taluk, Thanjavur District without following due process of law on the basis of the petitioner's representation dated 04.01.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Standing counsel, who takes notice for the official respondents. Since there is no adverse order going to be passed against the fourth respondent, notice to him is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. The case of the petitioner is that the petitioner is in possession and enjoyment of the subject property by way of a registered sale deed and patta has also been issued in favour of the petitioner. While this being so, on the instigation of the fourth respondent, the second respondent is trying to make changes in the revenue records. In this regard, the petitioner sent a representation dated 04.01.2024 to the respondents 2 and 3 not to make any changes in the revenue records with respect to the subject properties. Since the same has not been considered till date, the present writ petition has been filed.

4. The learned Additional Government Pleader appearing for the official respondents has produced a letter of the second respondent in Vo.Nee.Tha.Pa. 01/2024/Aa8, dated 19.01.2024, stating that as per UDR-A register, the subject properties stand in the names of the petitioner and one M.Renuka. It is also stated that enquiry was conducted with regard to the petition filed by the fourth respondent herein seeking for issuance of patta in his name with respect to S.No.106/1A3 and since there was some objection by the petitioner herein, the parties were advised to work out their remedy before the competent civil Court.

5. Considering the facts and circumstances of this case, this Court directs the first respondent to hold an enquiry with regard to the issue raised in the



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petitioner's representation dated 04.01.2024 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if there is any dispute regarding the title of any of the subject property, the parties shall approach the competent civil Court to work out their remedies.

6. With the above directions, this writ petition is disposed of. No costs.

19.01.2024

NCC : Yes/No

Index : Yes/No

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TO:-

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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.1008 of 2024

Dated:
19.01.2024