



W.P(MD)No.1231 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1231 of 2021

and

W.M.P.(MD)Nos.1050 & 1051 of 2021

K.Kalavathy

... Petitioner

Vs.

1.The Tahsildar,
Melur Taluk, Melur,
Madurai District.

2.The Taluk Surveyor,
Melur Taluk, Melur,
Madurai District.

3.Sargunam

4.Aruvugam

5.M.Pappammal

6.Seetha

(R6 is impleaded vide order

dated 15.02.2024 in W.M.P.(MD)No.2911 of 2021)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in sub division and grant of pattas in Pattas No.5799, 5800 and 5126 in respect of the property in S.No.584/7 entered in the names of the respondents 3, 4 & 5 on the file of the first respondent and



W.P(MD)No.1231 of 2021

quash the same and further, directing the respondents 1 & 2 to restore the name of the petitioner.

For Petitioner : Mr.S.Selva Aditya
for Mr.G.Prabhu Rajadurai

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader for R1 & R2
: M/s.Maria Rubit for R6

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the official respondents and the learned counsel for the impleaded respondent. Notices were sent through Court and post to R3 to R5. Notices have been returned with an endorsement “no such person”/ “unclaimed”.

2. The petitioner purchased 18 cents of land from the 5th respondent vide sale deed dated 22.03.2018. Patta was also issued in her favour. Copy of the Patta No.4954 has been enclosed in the typed set of papers. The grievance of the petitioner is that without notice to her and behind her back, her name was deleted and the pattas were issued in favour of R3 to R5. Challenging the same, the present writ petition came to be filed.



W.P(MD)No.1231 of 2021

3. During the pendency of the writ petition, the impleaded respondent also came out with a similar grievance. When the matter was taken up for final hearing, the learned Additional Government Pleader on instructions submitted that the mistake earlier done has been rectified. The RDO had issued revised proceedings in this regard. When the matter was taken up for hearing, the learned Additional Government Pleader produced copy of patta No.6261 issued in the name of the petitioner for Survey No.584-7A1B for an extent of 18 cents. It is stated that similar order has been passed in favour of Murugan also / the husband of the impleaded respondent. In these circumstances, nothing may survive for further adjudication. However, to assure the petitioner as well as the impleaded respondent, the RDO, Melur is directed to issue a proper communication addressed to the petitioner as well as the impleaded respondent enclosing the copy of the proceedings earlier issued. This shall be done as expeditiously as possible. I also hold that since the deletion of the petitioner's name was done behind her back, the said deletion is declared to be illegal. The RDO himself has set right the situation.

4. The Writ Petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions are closed.

15.02.2024

Index : Yes / No
Internet : Yes/ No
rmi



WEB COPY



W.P(MD)No.1231 of 2021

G.R.SWAMINATHAN, J.

rmi

To

- 1.The Tahsildar,
Melur Taluk, Melur,
Madurai District.
- 2.The Taluk Surveyor,
Melur Taluk, Melur,
Madurai District.

W.P(MD)No.1231 of 2021

15.02.2024