



W.P.(MD)No.1620 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2024

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.1620 of 2024

S.David Rajasingh

: Petitioner

Vs.

1.The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to implement the order passed by the first respondent in Mu.Mu.(A3)/290/2021 dated 23.09.2021 and to issue patta to the petitioner's favour in respect of properties in Survey No.268 to the extent of 1.07.0 Hectares, Survey Nos.276/11 and 276/13 to the extent of 0.03.0 Ares and 0.08.0 Ares respectively situated at Idaiyankulam Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.J.David Ganesan

For Respondents : Mr.SRA.Ramachandran

Additional Government Pleader



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ORDER

This Writ Petition is filed seeking for a direction to the second respondent to implement the order passed by the first respondent in Mu.Mu.(A3)/290/2021 dated 23.09.2021 and to issue patta in favour of the petitioner in respect of properties in Survey No.268 to the extent of 1.07.0 Hectares, Survey Nos.276/11 and 276/13, to the extent of 0.03.0 Ares and 0.08.0 Ares respectively situated at Idaiyankulam Village, Nanguneri Taluk, Tirunelveli District.

2.Heard Mr.J.David Ganesan, learned Counsel appearing for the petitioner and Mr.SRA.Ramachandran, learned Additional Government pleader who accepts notice for the respondent.

3.By consent, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

4.The case of the petitioner is that the properties in Survey No.268 to an extent of 1.07.0 Hectares, Survey Nos.276/11 and 276/13 to an extent of 0.03.0 Ares and 0.08.0 Ares, respectively situated at Idaiyankulam Village, Nanguneri Taluk, Tirunelveli District originally belonged to his father Sundarsingh Nadar. The



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Patta No.255, 10(1) Adangal and “A” Register also stood in favour of the petitioner's father Sundarsingh Nadar. After the demise of the petitioner's father, the petitioner is in possession of the said properties. Thereafter, the petitioner came to know that the said properties have been wrongly mentioned as Government Poromboke lands instead of Ryath Punja land in the revenue records.

5.In this regard, the petitioner sent a representation dated 21.01.2019 to the first respondent. On receipt of the representation, the second respondent summoned the petitioner for enquiry on 19.11.2020 along with relevant documents. The petitioner also appeared before the second respondent. Further, the Revenue Inspector, Nanguneri and the Zonal Deputy Tahsildar, Nanguneri also submitted their reports before the second respondent stating that the properties in question belong to the petitioner and wrong entries have been made in the revenue records. Thereafter, the first respondent passed an order vide proceedings in Mu.Mu(A3)/290/2021 dated 23.09.2021, directing the second respondent to change the wrong entries made in respect of the properties in question and issue patta in favour of the petitioner. Since there is no further progress on the side of the second respondent, the petitioner has come up with the present Writ Petition.



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6.The learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation was considered and the appropriate rectification would be carried out within a period of four [4] weeks from the date of receipt of a copy of this order.

7.In view of the above submission, this Court directs the second respondent to implement the order of the first respondent vide proceedings in Mu.Mu(A3)/290/2021 dated 23.09.2021 and carry out the necessary corrections in the revenue records with respect to wrong entries made in respect of Survey No.268 to an extent of 1.07.0 Hectares, Survey Nos.276/11 and 276/13 to an extent of 0.03.0 Ares and 0.08.0 Ares, respectively, and issue patta in favour of the petitioner, within a period of four [4] weeks from the date of receipt of a copy of this order.

8.The Writ Petition stands disposed of, with the above direction. There shall be no order as to costs.

29.01.2024

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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V.BHAVANI SUBBAROYAN, J.

MR

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