



W.P.(MD).No.16945 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.16945 of 2023

and

W.M.P.(MD).No.14167 of 2023

S.Padmavathi

... Petitioner

vs.

- 1.The District Collector,
District Collector Office,
Sivagangai District.
- 2.The District Revenue Officer,
District Revenue Office,
Maanamadurai,
Sivagangai District.
- 3.The Tahsildar,
Thasildar Office,
Manamadurai,
Sivagangai District.
- 4.The Village Administrative Officer,
K.K.Pallam,
Mankulampanchayat,
Manamadurai,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue patta in favour of the petitioner by changing Survey No.214/2D2A instead of Survey No.214/2 to the extent of 5 cents, on the house site located at Alankulam, Theethaankulam Village, Manamadurai Taluk, Sivagangai District and 7 $\frac{3}{4}$ cents lands besides the house site.

For Petitioner : Mr.S.Sivasamy

For R1 to R4 : Mr.SRA.Ramachandran
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to issue patta in favour of the petitioner, by changing Survey No.214/2D2A instead of Survey No.214/2 to the extent of 5 cents, on the house site located at Alankulam, Theethaankulam Village, Manamadurai Taluk, Sivagangai District and 7 $\frac{3}{4}$ cents lands besides the house site.



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2. According to the petitioner, her husband purchased the land in S.No.214/2 to an extent of 12 $\frac{3}{4}$ cents from one Sethuraman through registered sale deed, dated 21.04.1980. Her husband died on 23.03.2019, leaving behind his three sons and two daughters. Thereafter, she came to know that Patta No.842 was issued only for 5 cents of land and for the remaining 7 $\frac{3}{4}$ cents, there is no patta issued till date and her husband name was also wrongly mentioned as Mani, S/o.Natiyan instead of Subramanian, S/o.Natiyan. Hence, the petitioner has made a representation to the respondents on 05.04.2023, requesting them to give patta in favour of her, by correcting the name of her husband in Patta No. 842 and to issue patta for 12 $\frac{3}{4}$ cents. Since the said representation has not been considered, the petitioner has filed the present writ petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the competent authority is the District Revenue Officer and the DRO will conduct an enquiry and pass appropriate orders.



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4. Considering the above said submissions, this Court directs the petitioner to produce all the documents relating to the land in S.No.214/2 with supporting documents of death certificate and legal heir certificate before the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to consider the petitioner's representation, dated 05.04.2023 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity to the parties concerned, within a period of twelve weeks thereafter.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

08.01.2024

Index: Yes/No
Internet: Yes/No
NCC: Yes/No
akv

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V.BHAVANI SUBBAROYAN,J.

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