



W.P.(MD) No.21459 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 10.09.2024**

**CORAM:**

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

W.P.(MD) No.21459 of 2024

Santhiyammal

.. Petitioner

Vs.

1.The District Collector,  
O/o.The District Collectorate Office,  
Sivagangai District.

2.The Revenue Divisional Officer,  
O/o.Revenue Divisional Officer,  
Sivagangai District.

3.The Tahsildar,  
Ilayangudi Taluk Office,  
Ilayangudi Taluk,  
Sivagangai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to making necessary correction in the revenue records likewise Natham FMB Map in old Survey No.117/4 as New Natham



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Survey No.308/6 to the extent of 1400 square feet situated at Pitchambarential village, Andakudi Group, Ilayandudi Taluk, sivakangai District, based on he representation dated 18.07.2024.

|                 |                                                   |
|-----------------|---------------------------------------------------|
| For Petitioner  | :Mr.K.Yasar Arafath                               |
| For Respondents | :Mr.B.Saravanan,<br>Additional Government Pleader |

### **ORDER**

This writ petition is filed for a Mandamus directing the second and third respondents to make necessary correction in the revenue records likewise Natham FMB Map in old Survey No.117/4 as New Natham Survey No.308/6 to the extent of 1400 square feet, situated at Pitchambarential Village, Andakudi Group, Ilayandudi Taluk, Sivakangai District, based on the representation dated 18.07.2024.

2.The case of the petitioner is that the aforesaid property originally belonged to his grandmother viz., Savariyammal under Inam settlement given by her father Savarimuthu and the same was registered as Document No.2372/1942. The said Savariyammal had two sons viz., Arulandhu, who is the father of the petitioner and Savarimuthu. During



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her lifetime, the petitioner's father and his brother are in possession and enjoyment of the property. After the demise of the petitioner's grandmother, the petitioner's father had constructed a house measuring an extent of 700sq.ft., and the said house was in a dilapidated condition and the same was demolished. The remaining extent was in possession of the petitioner's paternal uncle.

3.The petitioner has purchased 700 sq.ft., belonging to his paternal uncle under a sale deed, which was registered as Document No. 1019/2009 on the file of the Sub Registrar Office, Nainarkovil, Ramanahthapuram District. The petitioner and his sister were in possession of the property. The petitioner would further submit that the revenue records were mutated in his name and patta also granted in his name. Thereafter, the petitioner constructed a dar sheet house and he has paid house tax and also electricity charges. While the petitioner and his sister are enjoying the property, their adjacent land owners viz., Vedamarri and Sepasthi in order to grab the property had started to disturb their possession and enjoyment of the property. Entertaining a



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doubt, the petitioner had verified the revenue records and to his shock and surprise, his property has been classified as pathway in the revenue records and the said classification is reflected in the Natham FMB map. Therefore, the petitioner and his sister sent a representation dated 18.07.2024 to the respondents to effect corrections. The first respondent had forwarded the said representation to the third respondent to take action. However, the second and third respondents have not taken any steps. Hence, the petitioner is before this Court.

4.Heard the learned counsel on either side.

5.Admittedly, the petitioner has produced the sale deed to show the title to the property in question. The representation which has been forwarded as early as on 18.07.2024 has not been considered so far by the respondents. The respondents are not performing the statutory duty cast upon on them. Therefore, a mandamus is issued to the respondents to consider the petitioner's representation dated 18.07.2024, after issuing notice to the petitioner and the adjacent land owners holding an enquiry



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and thereafter pass 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.

6. With the above direction, this Writ Petition stands allowed. No costs.

**10.09.2024**

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1. The District Collector,  
O/o. The District Collectorate Office,  
Sivagangai District.

2. The Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Sivagangai District.

3. The Tahsildar,  
Ilayangudi Taluk Office,  
Ilayangudi Taluk,  
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**P.T.ASHA, J.**

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