



W.P.(MD) No.21926 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21926 of 2024

Ramani

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar.

4.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, directing the respondents to



W.P.(MD) No.21926 of 2024

rectify the wrong entry which classified as Natham Poramboke comprised in S.No.424/1. New Survey No.507/21 to an extent of 2168 sq.ft., Muthusamipuram Village, Rajapalayam Taluk, Virudhunagar District and restore patta in the existing owner of Krishnammal Name, forthwith petitioner's representation dated 22.06.2024.

For Petitioner : Mr.M.Govindarajan
For R1 and R2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a Mandamus directing the respondents to correct the wrong entry which classified as Natham Poramboke the property comprised in S.No.424/1. New Survey No. 507/21 to an extent of 2168 sq.ft., Muthusamipuram Village, Rajapalayam Taluk, Virudhunagar District and restore the patta in the name of the existing owner of Krishnammal, forthwith by considering the petitioner's representation dated 22.06.2024.

2.The brief facts as set out in the affidavit filed in support of the writ petition are follows:



W.P.(MD) No.21926 of 2024

WEB COPY

A house site measuring an extent of 2168 Sq.ft., in S.No.424/1, New S.No.507/21 situated at Muthusamipuram Village, Rajapalayam Taluk, Virudhunagar District, was in possession of the petitioner's mother-in-law viz., Krishnammal. She had originally possessed an extent of 4335Sq.ft., without any hindrance. During her lifetime, she had sold an extent of 2168 Sq.ft., to one Rajaiah Naidu, under a registered sale deed dated 05.12.1985. The petitioner would further submit that the legal heirs of his mother-in-law were settled in different places for their survival and her family along with others, who have taken care till her life time. The said Krishnammal passed away on 01.06.1986 and the property devolved on her legal heirs. The petitioner would submit that all the family members are using the aforesaid house site property for their shelter when they are arriving at their native place on temple festival and other family functions. The petitioner's husband viz., Jeganathan, who is the elder son of the Krishnammal passed away on 04.12.2007 leaving behind the petitioner and her daughters and son as his legal heirs. At this juncture, the legal representatives of Krishnammal decided to mutate the revenue records in their name in the year 2019 and that point in time,



W.P.(MD) No.21926 of 2024

they came to know that the property was classified as Village Poramboke.

The petitioner's made an application before the first respondent and also sought for information under RTI Act as to how the changes had taken place. She was served with the reply containing minimum details on 30.12.2021 stating that the property was classified as Village Poramboke. On 22.06.2024 she had submitted a representation to the respondents to correct the said entry. However, no action has been taken from the year 2021 to redress the grievance of the petitioner. Therefore, the present writ petition is filed.

3.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.Considering the request of the petitioner and the documents that have been produced for scrutiny of this Court, a mandamus is issued to the first respondent to take steps to rectify the revenue records, after holding an enquiry and affording personal hearing of the petitioner and thereafter proceed to pass orders either rectifying or rejecting the request.



W.P.(MD) No.21926 of 2024

In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

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

13.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

Ns

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar.

4. The Tahsildar,
Rajapalayam Taluk,
Virudhunagar.



WEB COPY



W.P.(MD) No.21926 of 2024

P.T.ASHA, J.
Ns

W.P.(MD) No.21926 of 2024

Dated: 13.09.2024