



W.P.(MD) No.22132 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22132 of 2024

Meenakshi

.. Petitioner

Vs.

1.The District Collector,
O/o.District Collector Office,
7A, National Highway, PSP Nagar,
Korampallam,
Tuticorin.

2.The District Revenue Officer,
O/o.District Collector Office,
7A, National Highway, PSP Nagar,
Korampallam,
Tuticorin.

3.The Assistant Director (Land and Survey)
O/o.District Survey Office,
Tuticorin Collectorate,
Korampallam,
Tuticorin.

4.The Revenue Tahsildar,
Office of Revenue Tahsildar,
Kodaikkadu, Eral Raod,
Tuticorin.

5.Bramma Sakthi

..Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the fourth respondent to pass orders based on the proceedings of the third respondent Na.Ka.A5/426/2023, dated 11.09.2023 by considering the representation given by the petitioner on grievance day before the first respondent on 22.07.2024.

For Petitioner : Mr.Niranjana S.Kumar

For R1 to R4 : Mr.P.Thambidurai
Government Advocate

ORDER

An application made by the petitioner on 25.04.2022 seeking to rectify the mistake in the FMB has not been considered to date, therefore the petitioner is before this Court.

2. The property measuring an extent of 44 cents in Survey No. 45/2A2 at Umarikadu, Eral Taluk, Tuticorin District belonged to the petitioner's father-in-law who was enjoying the property till his life time. After his demise, a partition took place and the above mentioned property was allotted to one Ramesh who sold the same to the 5th respondent. The adjacent property in Survey No.45/2A3A also measuring



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an extent of 44 cents originally stood in the name of Parvathy Pandian Nadar and 3 other. The adjacent property measuring an extent of 8 cents in the same survey number was in the possession of one Arunachalam Nadar. On his demise, his son Prabhakaran sold the same in favour of the petitioner under a registered sale deed, dated 04.06.2021. After the purchase, the patta and revenue records stood in the petitioner's name in respect of Survey No.45/2A3A. Thereafter, she has also purchased another extent measuring an extent of 36 cents through registered sale deed and patta was also mutated in her name as separate patta to an extent of 44 cents i.e., 8 cents + 36 cents which belong to her absolutely. However, when the petitioner had made an application to conduct survey, it came to light that the FMB was wrongly drawn. Therefore, the petitioner had made an application on 25.04.2022 to rectify the mistake. The 4th respondent forwarded it to the 3rd respondent. The 3rd respondent had given a reply that the 4th respondent is a competent authority. Thereafter, on 27.07.2024, the petitioner had made another representation. Since the same was not considered, the petitioner is before this Court.



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3. Considering the limited request and taking note of the fact that the first application has been made on 25.04.2022, a mandamus is issued to the 4th respondent to consider the representation of the petitioner and pass orders based on the proceedings of the 3rd respondent in Na.Ka.A5/426/2023, dated 11.09.2023 within a period of eight (8) weeks from the date of receipt of copy of this order.

4. With the above directions, this Writ Petition stands allowed. No costs.

18.09.2024

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

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To

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P.T.ASHA, J.

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