



W.P.(MD) No.24597 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.24597 of 2018

M.Durai

... Petitioner

Vs.

1.The District Collector,
Pudukottai District.

2.The Revenue Divisional Officer,
Illupur Post & Taluk,
Pudukottai District.

3.The Thasiltar,
Kulathur Taluk, Pudukottai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to rectify the mistake crept in with regard to the petitioner's property comprised in S.F.No.163/4 Punjai 0.46.0 Ares of Veerakudi Village, Kulathur Taluk, Pudukkottai District, within a reasonable time to be fixed by this Court.

For Petitioner

: Mr.K.Arunraj

For Respondents

: Mr.S.P.Maharajan
Special Government Pleader



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ORDER

WEB COPY This Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, to direct the respondents to rectify the mistake crept in with regard to his property comprised in S.F.No.163/4, 0.46.0 Ares of Punjai, situated at Veerakudi Village, Kulathur Taluk, Pudukkottai District, within a reasonable time.

2. The case of the petitioner is that originally, the land in question was assigned to the petitioner's father namely, Mangappan and thereafter, the entire extent of land in S.Nos.161/5, 163/1, 166/13 and 163/4 [subject land, measuring an extent of 1.14 Acres (0.46 Ares)] stood in the name of the petitioner's mother, namely, Pichai Ammal, W/o.Mangappan.

3. It is submitted that after the petitioner's mother's death, a representation was also given by the petitioner for issuance of Patta and that the third respondent in his proceedings dated 04.09.2006, bearing reference in Na.Ka.A4.9333/06, had directed that Patta be issued in the name of the petitioner, as the land in question measuring an extent of 0.46 Ares [1.14 Acres] was in possession of the petitioner.



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4. It is further submitted that subsequently, the respondents have unilaterally, deleted the name of the petitioner from the revenue records and have treated the land in S.No.163/4 situated in the above said Village as that of Sarkar Anadheenam [Government Poramboke Anadheenam].

5. The learned Special Government Pleader for the respondents submits that the petitioner has no records to substantiate that the land in question was allotted to him or his mother or his father. In fact, in the enquiry, that was held, the petitioner was called upon to produce the relevant documents. However, the petitioner has not produced any document to substantiate that the land in question measuring an extent of 0.46 Ares [1.14 Acres] in S.No.163/4, was allotted to his father or his mother. During the pendency of the present Writ Petition also, the third respondent / Tahsildar had made inspection and had called the petitioner to produce the relevant documents. However, the petitioner has failed to produce the same.

6. The learned Special Government Pleader for the respondents submits that the second respondent may be directed to hold an enquiry



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before making any further corrections and that the petitioner may be directed to produce the relevant records to convince that the land in question actually belongs to him.

7. The submission of the learned Special Government Pleader appears to be reasonable and therefore, this Writ Petition is disposed of by directing the second respondent to hold an enquiry and pass suitable orders. The petitioner is directed to co-operate with the second respondent. The second respondent is expected to complete the entire exercise within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

14.06.2024

To

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Pudukottai District.



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C.SARAVANAN, J.

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