



W.P.(MD) No.22247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22247 of 2024

1.Seethamani

2.T.Suhapriya

.. Petitioners

Vs.

1.The District Revenue Officer,
Collectorate Campus,
Virudhunagar.

2.The Revenue Divisional Officer/Sub Collector,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to issue separate patta to the petitioner's house plot bearing No.37 comprised survey No.280/1C2 for the extent of 364 Sq.ft and 363 Sq.ft North Srivilliputhur Village, Srivilliputhur Taluk, Virudhunagar District



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based on the online applications, dated 17.05.2019 within the time frame stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

Aggrieved by the fact that despite the 1st petitioner submitting an online application on 17.05.2019 along with her daughter, the 2nd petitioner for issuance of separate patta in respect of the house plot owned by them, the same was not considered. Hence, the petitioners are before this Court.

2. The petitioners would submit that an extent of 1 acre and 13.5 cents had been purchased by one Lakshmanaperumal Moopanar and 13 others under a sale deed, dated 27.05.1965 and patta and all the revenue records stood in their names. These persons thereafter entered into an oral partition among themselves by converting the lands into house plots. Out of this, the 2nd petitioner had purchased Plot No.37 measuring 363



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sq.ft from one K.Alagammal under a registered sale deed, dated 18.05.2015. Her vendor K.Alagammal had purchased the same from one Sundarambal, who had purchased it from one Narayanan. All documents were registered documents. The 2nd petitioner's father had also purchased 364 sq.ft in this plot and this was gifted to the 1st petitioner on 07.02.2003 and the 1st petitioner has also put up construction on the said premises.

3. Since the extent of 1 acre 13.5 cents had been converted into a lay out without getting approval from the competent authority and as there was a scheme for regularization of unapproved plots on payment of necessary fee, the petitioners had submitted an application for issuance of separate patta in respect of the house plot owned by them. This online application was accepted by the 3rd respondent and forwarded to the Head Surveyor, Srivilliputhur. Though 5 years have been lapsed, there has been no action. Therefore, the petitioner is before this Court.

4. Taking note of the fact that despite the Head Surveyor being



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directed to take action by the Tahsildar and no action have been taken by him as well as the 3rd respondent and the 3rd respondent has clearly abdicated a statutory duty imposed on him, a mandamus is issued to the 3rd respondent to issue patta to the petitioners as prayed for. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of copy of this order.

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

20.09.2024

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

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To

- 1.The District Revenue Officer,
Collectorate Campus,
Virudhunagar.
- 2.The Revenue Divisional Officer/Sub Collector,
Sivakasi,



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Virudhunagar District.

3.The Tahsildar,
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P.T.ASHA, J.

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