



W.P.(MD) No.22195 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22195 of 2018
and
W.M.P(MD)No.20120 of 2018

S.Muthukaruppan

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Tahsildar,
Madurai North Taluk,
Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the 2nd respondent in his proceedings Na.Ka.No. 16696/2016/G5 dated 10.04.2018 and quash the same and further direct the 2nd respondent to reclassify the land in Survey No.207/2 Old Survey



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No.143/2 Part, situated at Siruvalai Village, Madurai North Taluk, Madurai District and to issue patta to the petitioner.

For Petitioner : Mr.T.K.Gopalan(No appearance)
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed challenging the proceedings of the second respondent in Na.Ka.No.16696/2016/G5 dated 10.04.2018 and quash the same and further direct the second respondent to reclassify the land in Survey No.207/2 Old Survey No.143/2 Part, situated at Siruvalai Village, Madurai North Taluk, Madurai District and to issue patta to the petitioner.

2. There is no representation for the petitioner. Despite service of notice, the petitioner has not chosen to appear either in person or through counsel.



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3.However, a perusal of the affidavit and the impugned order would indicate that the petitioner claims a title to the property on the basis of sale deed, which he had obtained from the purchaser of the original title holders viz., Periya Karuppa Kone and N.V.C.Thangasamy Chettiar. The impugned order also refers to these two persons and also admits the fact that the said Thangasamy Chettiar's name had been included in the revenue records in respect of 1.74 acres in S.No.207/2 Old Survey No.143/2 part, in Patta No.191. The said 'A' register has been enclosed in the typed set of papers, it is seen that the same has been issued in the year 1962. Therefore, the ground on which the impugned order has been passed that the land has been described as the Government Poramboke on the face of the records appears to be incorrect. However, the petitioner has not produced the document belonging him to the property in question.

4.In view of the above, the writ petition is disposed of with a direction to the first respondent, as and when the petitioner produces the documents to show his title to the said property, he shall consider the



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same and pass orders on merits and in accordance with law. No costs.

Consequently, connected miscellaneous petition is also closed.

30.09.2024

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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