



W.P.(MD) No.3243 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.3243 of 2017

A.Ganapathy

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Illuppur Sub Division,
Illuppur,
Pudukkottai District.

3.The Tahsildar,
Ponnamaravathy Taluk Office,
Pudukkottai District.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to direct the 3rd respondent to provide separate patta for the petitioner's lands and its extent of Hamlet, Ponnamaravathy West Village, Ponnamaravathy Taluk, Pudukkottai District by considering the



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petitioner's representation dated 13.12.2016 within a period of stipulated time.

For Petitioner	:No appearance
For Respondents	:Mr.B.Saravanan, Addl. Govt. Pleader

ORDER

This writ petition is filed praying for issuance of a writ of Mandamus directing the first respondent to direct the third respondent to provide separate patta for the petitioner's lands and its extent at Hamlet, Ponnamaravathy West Village, Ponnamaravathy Taluk, Pudukkottai District, by considering the petitioner's representation, dated 13.12.2016 within a stipulated period of time.

2.The case of the petitioner is that the petitioner's father viz., Adaikkan, had purchased a portion of the land to an extent of 15 cents in Old S.No.491/4, under a registered sale deed, dated 29.01.1942 from one Alamelu Aachi, W/o.Muthaiah. After his father's death, the petitioner and his elder brother are in possession and enjoyment of the same without any hindrance. Earlier, one Palani Ambalam had purchased the remaining 15 cents in the aforesaid survey number from Alamelu Aachi's husband



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Muthaiah vide registered sale deed, dated 24.07.1030. The said Palani Ambalam sold the said property to his own brothers viz., Kaathan and Vellaisamy vide document No.51/1947. During resettlement, the petitioner's land measuring an extent of 15 cents and the said Palani Ambalam's land measuring an extent of 0.15 cents were classified as S.No.491/6 instead of 491/4 to an extent of 0.12.0 ares in Patta No.145 in the names of the petitioner's father Adaikkan, Palani, Alagan, Ramaiah and Vellaisamy.

3.In the light of the aforesaid mistake made in UDR survey, several representations were made by the petitioner and his elder brother Karuppaiah to rectify the mistake. However, no action has been taken. Hence, the petitioner made a representation before the third respondent on 18.05.2016 in person, to survey the land as per the document and to issue separate patta. Thereafter, no action was taken. Once again, he was asked to make a fresh application and accordingly, the same was made on 17.01.2017 with proper fees. Since no steps have been taken, the present writ petition is filed.



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4. Considering the limited prayer sought for in the writ petition, the writ petition is allowed with a direction to the third respondent to consider the petitioner's representation dated 13.12.2016 along with his document of title and grant patta, by following due process of law and holding enquiry with the neighbouring land owners. No costs.

19.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

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Pudukkottai District,
Pudukkottai.

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Pudukkottai District.

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