



W.P.(MD) No.3900 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2024

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.3900 of 2017

K.C.Mookandi Nadar

... Petitioner

/vs./

- 1.The State rep. by
the District Collector,
Tuticorin District.
- 2.The District Revenue Officer,
Tuticorin District,
Tuticorin.
- 3.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
- 4.The Tahsildar,
Ottapidaram,
Tuticorin District.
- 5.The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.



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6.The District Registrar,
Office of Registration,
Polpettai,
Tuticorin 628 001.

7.The Sub Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram,
Tuticorin.

8.M/s.Ind Barath Power (Kanwar) Limited,
represented by M.N.V.Sudhakar
Senior Vice President,

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the revenue authorities to correct the mistake of names in revenue records by incorporating names of the petitioner and his co-owners.

For Petitioner : No appearance
For Respondents : Mr.B.Saravanan,
Additional Government Pleader

ORDER

None appears on behalf of the petitioner.

2. The above writ petition has been filed for the issue of a Writ of Mandamus directing the Revenue Authorities to correct the mistake of names in



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the revenue records by incorporating the names of the petitioner and the other co-owners.

3. A reading of the affidavit does not provide any clarity. However, a perusal of the representation dated 08.09.2011 would indicate that the lands comprised in Zamin S.Nos.686, 684, 683, 682, 685, 697, 696, 698, 695, 691 and 681 and present Ayyan S.Nos.139/1, 140/1, 140/2, 140/4, 141/1C, 141/1, 141/3, 141/4, 142/1, 147/1, 147/4, 153/3 and 159/3 belonged to the petitioner's grandfather Sudalaimuthu Nadar. Thereafter, on the death of Sudalaimuthu Nadar, his legal representatives, which included the petitioner, have been in enjoyment of the properties.

4. While so, owing to the drought conditions, the lands could not be cultivated and the petitioner and others had left the village for eking out their livelihood. After some time, when they had returned and attempted to pay the kist receipt, the same was not received by the Village Administrative Officer, who had stated that the property now stands in the name of others.



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5. The petitioner would submit that none of the legal representatives of Sudalaimuthu Nadar had executed any sale deed in favour of the 8th respondent herein. The 8th respondent appears to have fraudulently purchased the property. It appears that in the letter dated 01.02.2016, the petitioner had requested the Tahsildar to change the patta, cancel the patta granted and to restore it in the name of the petitioner's family. The petitioner has also submitted a representation to the District Revenue Officer, where the petitioner sought the intervention of the District Revenue Officer to get back his properties. It appears that the third respondent had sent a communication dated 10.06.2016 to the Tahsildar asking him to take further proceedings on the complaint of the petitioner.

6. In the light of the above, a Mandamus is issued directing the Revenue Authorities to consider the representations of the petitioner dated 08.09.2011, 01.02.2016 and 30.05.2016, hear the persons in whose name the patta now stands and thereafter pass appropriate orders. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands allowed, with the above direction. No costs.



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

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To

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P.T.ASHA, J.

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