



W.P(MD)No.23089 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P(MD)No.23089 of 2024

K.Bratheesh

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Thiruppuvanam Taluk Office,
Thiruppuvanam,
Sivagangai District.
- 4.The Village Administrative Officer,
Office of the Village Administrative Officer,
Konthagai,
Thiruppuvanam Taluk,
Sivagangai District-630 611.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation, dated 22.06.2024 for issuing corrected FMB (Field Measurement Book) in respect of the property situated in Survey No.191/2 in Konthagai Village, Thiruppuvanam Taluk, Sivagangai District and pass such further or other order as this Court.

For Petitioner : Mr.A.Abdulkabur

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

A Mandamus directing the respondents 2 and 3 to consider the petitioner's representation for issuing a corrected FMB (Field Measurement Book) in respect of the property situated in S.No.191/2 in Konthagai Village, Thiruppuvanam Taluk, Sivagangai has been filed by the petitioner.

2. The petitioner would submit that the property in question had been purchased by his father under a registered sale deed, dated 25.07.1994 and from the date of his purchase, his father has been carrying on agricultural activities on the said land. On 06.06.2022, the petitioner's father had sold the property to



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the petitioner and his younger brother, Naveen Varma selling 92 cents each in S.No.191/2 along with 47 cents each in S.No.191/3. The petitioner would submit that based on the sale deed, the revenue records, patta etc., had been mutated in the name of his brother Naveen Varma. However, when he had approached the third respondent for mutating the revenue records in granting patta in respect of his property, he was informed that there was a defect in the Filed Measurement Book in respect of S.No.191/2 and his application was kept pending. The petitioner would submit that he had approached the revenue authorities immediately after the sale and since no action was taken, he had sent a detailed representation on 22.06.2024 requesting for a correction of the FMB. This has also not invoked any response. Therefore, the present writ petition has been filed.

3. Heard the learned Counsels on either side.

4. Admittedly, the petitioner's brother, who has got a similar extent in the same survey numbers has been assigned that the patta and the revenue records have all been mutated in his name and it is only the petitioner, who has been singled out on the ground that the FMB has an error. The petitioner has



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requested for its correction immediately after his sale in his favour and has renewed the request on 22.06.2024 which has not been to date processed and orders passed.

5. Considering the above, a Mandamus is issued directing the respondents 2 and 3 to consider the petitioner's representation, dated 22.06.2024 for issuing corrected FMB (Filed Measurement Book) in respect of the property situated in S.No.191/2 in Konthagai Village, Thiruppuvanam Taluk, Sivagangai District, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. The writ petition stands allowed, accordingly. There shall be no order as to costs.

27.09.2024

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



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P.T.ASHA, J.

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