



W.P.(MD) No.23562 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23562 of 2024

V.Jayakumar

.. Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Thirumangalam Taluk,
Madurai District.

3.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

4.The Zonal Deputy Tahsildar,
Thirumangalam Taluk,
Madurai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to change the Patta to the property under S.No.34/1B1 and S.No.8/8B1 at Kannimangalam village, Thirumangalam taluk, Madurai district, as per the order passed by the 2nd respondent, dated 02.09.2023 under



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Ni.Mu.No.4853/2022/A3 and as per the Notification under Na. Ka. No. 5027/2023/A3, dated 04.10.2023, passed by the 3rd respondent.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

A mandamus is sought against the 2nd respondent to change the patta in respect of the property under S.No.34/1B1 and S.No.8/8B1 at Kannimangalam village, Thirumangalam taluk, Madurai district pursuant to the orders passed by the 2nd respondent, dated 02.09.2023 under Ni.Mu.No.4853/2022/A3 and as per the Notification under Na. Ka. No. 5027/2023/A3, dated 04.10.2023, passed by the 3rd respondent.

2. The petitioner would submit that the properties comprised in Survey No.34/1N1 and Survey No.8/8B1 belongs to the petitioner's grand parents, namely Oyyammal and Palaniyandi Samban. The 2nd respondent had granted patta in their favour. It is the case of the petitioner that before the UDR, the subject property in Survey No.34/1B1



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stood in the name of Oyyammal and Survey No.8/8B1 stood in the name of Palaniyandi Samban which continued after the UDR as well. The petitioner would submit that his grand parents had not executed any sale deed nor effected any partition. While so, one Velu s/o Palaniyandi Samban and Oyyammal executed a sale deed in favour of one Lakshmi Ammal who on the strength of this sale deed had got the revenue records mutated in her name. The said order was questioned by the petitioner before the 2nd respondent and by his order, dated 02.09.2023, the patta granted was cancelled. The 2nd respondent observed that the real owners had not executed a sale deed in favour of Lakshmi Ammal. However, no order to change the patta in the name of the other owners was ordered. The petitioner would submit that despite the cancellation of patta, the patta had not been reverted back to the original owners. He had made an application by paying requisite fee in the year 2023 itself. Since the same has not been considered, the petitioner is before this Court.

3. Heard the learned counsel on either side.



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4. The records would indicate that the patta granted in favour of the said Lakshmi Ammal has been cancelled as early as on 02.09.2023 by the 2nd respondent and a memo, dated 04.10.2023 had been issued by the 3rd respondent to the 4th respondent and the Village Administrative Officer directing them to effect the changes in the UDR, 'A' register based on the orders of the 2nd respondent. However, the same has not been given effect. Therefore, a mandamus is issued to the 2nd respondent to change the patta in respect of the property under S.No.34/1B1 and S.No.8/8B1 at Kannimangalam village, Thirumangalam taluk, Madurai district. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

5. With the above observations, this Writ Petition stands allowed.

No costs.

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NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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