



W.P(MD)No.23975 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.23975 of 2024

V.Thangam

... Petitioner

Vs

- 1.The District Collector,
Madurai District.
- 2.The District Revenue Officer,
Collector Office Campus,
Madurai District.
- 3.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Thirumangalam Sub Division,
Madurai District.
- 4.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai District.
- 5.The Village Administrative Officer,
Urappanur I Bit Village,
Thirumangalam Taluk,
Madurai District.



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6.Panchatcharam

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th respondent to execute the order dated 05.07.2023 in Na.Ka. No.A3/2915/2023 on the file of the 3rd respondent, to cancel the patta No.2636 and issue new patta in petitioners name of Thangam within the stipulated time period fixed by this Court.

For Petitioner : Mr.R.Sundar,
For R1 to R5 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner with a grievance that the patta, which stands in his name has been wrongly cancelled by the orders of the Deputy Tahsildar and the Tahsildar in TR No.2023/0103/24/247718, and TR No.2023/0106/24/00546, dated 04.02.2023 & 02.07.2023 respectively, has approached this Court seeking a Mandamus, directing the fourth respondent/Tahsildar to change the patta based on the proceedings of the Revenue Divisional Officer in



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Na.Ka.No.A3/2915/2023, dated 05.07.2023 and to cancel the patta No.2636 within a stipulated time.

2.The learned counsel appearing for the petitioner submits that the petitioner has purchased a house Plot Nos.47, 48 and 49, comprised in Old.S.No.270/10, 270 and New S.No. 121/10A2 and 121/15 to an extent of 22 cents, vide registered sale deed in Doc.No.4711/2014, dated 04.09.2014 from one M.S.R.Sundaram, VGP Santhosh Nagar Golden City II Promoters. Patta for the subject plots in Patta Nos.2278 and 2330 have also been issued in favour of the petitioner. While so, one Panchatcharam has filed a suit in O.S.No.346 of 2007 and obtained a decree behind the back of this petitioner and changed the patta in his name with the help of the Deputy Tahsildar in the above proceedings. Therefore, the petitioner has submitted a representation before the Revenue Divisional Officer and the Revenue Divisional Officer based on the report of the Tahsildar, Thiurmangalam, dated 13.01.2023, passed an order on 16.05.2023 to change the patta in the name of Petchiammal



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W/o Arjunan @ Mayandi Thevar and their sons, namely, Panchatcharam, Kasimayan, Chinnasamy. However, the patta was wrongly issued on 02.07.2023 in the name of Panchatcharam alone. Therefore, the Revenue Divisional Officer, by his proceedings in Na.Ka.No.A3/2915/2023, dated 05.07.2023 directed the Tahsildar, Thirumangalam, to conduct an enquiry and to pass suitable orders. The Tahsildar has not acted upon the proceedings of the Revenue Divisional Officer, dated 05.07.2023. Therefore, the petitioner is before this Court.

3.Mr.B.Saravanan, learned Additional Government Pleader, who takes notice for the respondents submits that the Tahsildar has conducted an enquiry, based on the proceedings of the Revenue Divisional Officer, dated 05.07.2023 in the month of September 2023 and necessary order has to be passed by the Revenue Divisional Officer.



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4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner seeks proper order from the Tahsildar, based on the proceedings of the Revenue Divisional Officer, dated 05.07.2023. In the said proceedings, the Revenue Divisional Officer has found that based on the report of the Tahsildar dated 13.01.2023, he found that the patta issued by the Tahsildar on 02.07.2023 is not proper and directed the Tahsildar to conduct an enquiry to correct the mistake. It appears that the Tahsildar has conducted an enquiry and submitted a report to the Revenue Divisional Officer in the month of September 2023. However, it appears that no action has been taken by the Revenue Divisional Officer. It is also reported that the Revenue Divisional Officer is the authority to pass an order on this issue.

6.In view of the above, this writ petition is disposed of with a direction to the respondents 1 & 2 to conclude the



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proceedings and correct the mistakes, if any, within a period of two months from the date of receipt of a copy of this order, by affording opportunity to all the parties concerned. No costs.

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NCC :Yes/No
Index :Yes
Internet :Yes
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B.PUGALENDHI, J.

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Order made in
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