



WP(MD)No.27100 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.27100 of 2024

B.Sornalatha

...Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The District Revenue Officer,
Madurai District,
Madurai.

3. The Revenue Divisional Officer,
Revenue Divisional Office,
Madurai North,
Madurai District.

4.The Thasildar,
Madurai North Taluk,
Madurai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus directing the third respondent to conduct and complete the enquiry proceedings in Na.Ka.No.830/2024/B on the file of the third respondent and to carry out the corrections in Patta Nos.273 and 274 in respect of the survey No.136/2CD and 135/1AJ to the total extent of 6.100 sq.ft situated at Annaiyur 1st Bit, Madurai within a stipulated period as framed by this Court.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondents : Mr.M.Muthumanikkam

Government Advocate Civil side



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ORDER

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This Writ Petition is filed for issuance of writ of mandamus to direct the third respondent to conduct and complete the enquiry proceedings in Na.Ka.No.830/2024/B on the file of the third respondent and to carry out the corrections in Patta Nos.273 and 274 in respect of the survey No.136/2CD and 135/1AJ to the total extent of 6.100 sq.ft situated at Annaiyur 1st Bit, Madurai within a stipulated period as framed by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner acquired the property in S.No.135/1AJ and 136/2CD by a settlement deed executed by her father on 15.05.2018. As per the petitioner's father's sale deed and the settlement deed, the entire extent of the subject property was 6100 sq. ft. But, patta for the said property was erroneously issued for lesser extent of 4842 sq. ft. Under such circumstances, the petitioner submitted a petition on 24.02.2023 to the respondents to rectify the measurement in the patta for the aforesaid property. The fourth respondent on verification of the entire facts filed a report on 08.12.2023 to the third respondent recommending to carry out



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correction with respect to the extent of the property as claimed by the petitioner. The third respondent, on receipt of the report, issued notice to the petitioner on 19.02.2024, to appear for enquiry which was scheduled on 05.03.2024 in his office. The petitioner appeared on the scheduled date for enquiry and submitted all the revenue documents. The third respondent thereafter did not take any steps and therefore, the petitioner filed the above Writ Petition for the aforesaid relief.

4. The learned counsel for the petitioner submits that the report of the fourth respondent was submitted as early as on 08.12.2023 and thereafter, the third respondent conducted an enquiry on 05.03.2024, in which the petitioner participated. The third respondent did not proceed further and the enquiry was kept pending without any reason. The learned counsel for the petitioner further submitted that the third respondent may be directed to dispose of the petitioner's petition within a reasonable time to be fixed by this Court.

5. I have given my anxious consideration to the submissions made on either side and perused the materials available on record.

6. Despite the recommendation of the fourth respondent dated



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08.12.2023, and in spite of conducting the enquiry on 05.03.2024, the third respondent has not taken the enquiry proceedings to its logical end and therefore, I am inclined to issue a direction. Accordingly, the third respondent is directed to complete the enquiry and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

14.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM

To,
1.The District Collector,
Madurai District.

2.The District Revenue Officer,
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Madurai.

3. The Revenue Divisional Officer,
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N.MALA,J.

CM

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