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WP.No.1178 of 2025

In the High Court of Judicature at Madras

Dated : 22.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1178 of 2025

P.Kothandan

Vs

...Petitioner

1.The District Collector, Tirupattur
Tirupattur District.

2.The Revenue Divisional Officer
Tirupattur, Tirupattur District.

3.The Tahsildar, Ambur Taluk
Tirupattur District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 07.3.2024 and thereby direct the respondents 1 to 3 to measure the house site property in Survey No.181/11, Rajaveedhi, Veeranguppam Village, Ambur Taluk, Thirupathur District to an extent of 2,100 sq.ft., remove Mr.Radhakrishnan's name in patta No.152 and transfer correct patta from the petitioner's father's name into the petitioner's and his siblings names as per the legal heir certificate of the petitioner's father.



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For Petitioner : Mr.B.Sundarapandiyan
For Respondents : Mr.R.P.Murugan Raja, GA

ORDER

Seeking a direction to the respondents to consider his representation dated 07.3.2024 to conduct a survey in respect of the property measuring 2,100 sq.ft. at Survey No.181/11, Rajaveedhi, Veeranguppam Village, Ambur Taluk, Thirupathur District, to remove the name of one Mr.Radhakrishnan in patta No.152 and to issue patta in the names of the petitioner and his siblings, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondents.

3. The case of the petitioner is as follows :

(i) The subject property was owned by the father of the petitioner by way of a release deed dated 06.9.1968 registered as doc.No.1764 of 1968 and a sale deed dated 28.8.1972 registered as doc.No.1521 of 1972, both on the file of the Sub-Registrar, Ambur. Since then, the petitioner's father was in possession and enjoyment of the same. The revenue records were also mutated in the name of the petitioner's father. The petitioner's father died on 22.5.2015. After the

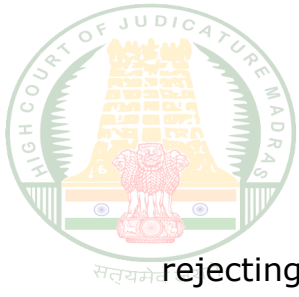


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demise of his father, the petitioner and his siblings are in absolute possession and enjoyment of the subject property. However, at the time of issuing the online patta, the name of the said Mr.Radhakrishnan was mistakenly added.

(ii) Hence, the petitioner made an online application dated 06.3.2024 to the third respondent seeking to conduct a survey by paying necessary charges. He also gave a representation dated 07.3.2024 to the respondents seeking to conduct a survey in respect of the subject property, delete the name of the said Mr.Radhakrishnan in the online patta and include the names of the petitioner and his siblings in the patta. As no action has been taken on that, the petitioner has come forward with this writ petition.

4. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the third respondent to consider the online application of the petitioner dated 06.3.2024 to conduct survey in respect of the subject property. The petitioner shall submit all the relevant records to show their title to the subject property and the third respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter pass orders either surveying the subject property and transferring the patta in the names of the petitioner and his siblings or



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rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

22.1.2025

To

1. The District Collector
Tirupattur
Tirupattur District.
2. The Revenue Divisional Officer
Tirupattur
Tirupattur District.
3. The Tahsildar
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RS



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