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WP.No.38518 of 2024

In the High Court of Judicature at Madras

Dated : 02.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38518 of 2024

C.Subramaniam

...Petitioner

Vs

1.The District Collector,
Ariyalur District, Ariyalur.

2.The Revenue Divisional Officer,
Udaiyar Palayam Taluk,
Ariyalur District.

3.The Tahsildar, Jayankondam
Taluk, Ariyalur District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to consider the petitioner's representations dated 04.4.2022, 18.10.2024 and 11.11.2024 vide TN/REV/ARI/P/COLLMGDP/11NOV24/10457503 and consequently direct the third respondent to change the patta in respect of survey Nos.303/3B, 299/5 and 298/2E, Sripuranthan Village, Udaiyarpalayam Taluk, Ariyalur District and issue patta in his name.

For Petitioner : Mr.S.Selvaraj
For Respondents : Mr.G.Velu, AGP



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ORDER

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Seeking a direction to the third respondent to consider his representations dated 04.4.2022, 18.10.2024 and 11.11.2024 for transfer of patta in his name in respect of S.Nos.303/3B, 299/5 and 298/2E, Sripuranthan Village, Udaiyarpalayam Taluk, Ariyalur District, the petitioner is before this Court.

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

3. The case of the petitioner is as follows :

(i) The property measuring an extent of 21 1/2 cents in S.No. 298/2, Sripuranthan Village, Udaiyarpalayam Taluk, Ariyalur District was purchased by the petitioner from one Mrs.Annakili Ammal vide sale deed dated 29.5.1977 registered as doc.No.764 of 1977 on the file of the Sub-Registrar, T.Palur, Ariyalur District. Ever since the date of purchase, the petitioner has been in possession and enjoyment of the said property.

(ii) The petitioner's paternal aunt - one Mrs.Seeniammal had settled the properties comprised in S.No.303/3 measuring 50 cents and S.No.299 measuring 50 cents in the same village by executing the settlement deed dated 05.12.1980 registered as doc.No.1791 of 1980



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on the file of the same Sub-Registrar.

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(iii) During the updation of register, S.No.298/2 was subdivided into S.No.298/2B, in which, the total extent has been shown as 21 1/2 cents. Adjacent to this property, one Mr.Ramadoss alone owns a property. However, One Mr.Parkunan, who is none other than the paternal cousin brother of the petitioner and who had never purchased any property under a registered deed or otherwise, managed to obtain the patta in respect of S.No.298/2E measuring 3 Ares. S.No.298/2F belongs to the said Mr.Ramadoss and others. However, the patta stands in the name of the petitioner for an extent of 1 1/2 Ares in S.No.298/2F, which does not belong to the petitioner. After the demise of the said Mr.Parkunan, his son - one Mr.Madhavan obtained patta for 2 1/2 Ares.

(iv) The petitioner is a teacher and is staying away from the lands in question. Similarly, the lands comprised in S.Nos.303/3 and 299 had been subdivided into S.Nos.303/3B and 299/6. Therefore, under the settlement deed executed by the said Mrs.Seeniammal, the petitioner has got the properties in S.Nos.303/3B and 299/6. Actually, 41 Ares should be there in S.No.299/6. However, what is now shown in the patta is only 32 Ares. In the light of the confusion caused on account of the name of the said Mr.Parkunan being added in the patta, the petitioner made the representations dated 04.4.2022 and



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11.11.2024 to the first respondent and the representation dated 18.10.2024 to the respondents to correct the extent in S.No.298/2E and S.Nos.303/3B and 299/6. But, no action has been taken on the same. Aggrieved by that, the writ petition has been filed.

4. On hearing the arguments of the learned counsel on either side and perusing the records, it is seen that the petitioner's representation dated 18.10.2024 sent to the third respondent is yet to be considered.

5. Therefore, the writ petition is allowed and the third respondent is directed to dispose of the representation of the petitioner dated 18.10.2024 for the transfer of patta on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. It is needless to state that the said Mr.Madhavan shall also be issued with notice and after hearing the petitioner and the said Mr.Madhavan, final orders shall be passed. No costs.

02.1.2025

Index : Yes (or) No
Neutral Citation : Yes (or) No

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P.T.ASHA,J

RS

To

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