



W.P.(MD) No.980 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD) No.980 of 2025

J.Joseph

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Petitioner

-vs-

- 1 The District Revenue Officer,
Tenkasi,
Tenkasi District
- 2 The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.
- 3 The Tahsildar,
Tenkasi Taluk,
Tenkasi District.
- 4 The Village Administrative Officer,
Kallurani Village,
Tenkasi District
- 5 The Head Surveyor
Tahsildar Office,
Tenkasi District.

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Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents to consider the petitioner's representation, dated 28.05.2024 and 25.11.2024, and to rectify the error made in FMB in Survey no.73/4B1B, Kallurani Village, Tenkasi District.

For Petitioner : Mr.K.Pragadesh Ganapathy

For Respondents : Mr.M.Muthumanikkam,
Govt. Advocate.

ORDER

This Writ Petition is filed for a mandamus, directing the respondents to consider the petitioner's representation, dated 28.05.2024 and 25.11.2024, and to rectify the error made in FMB in Survey no.73/4B1B, Kallurani Village, Tenkasi District.

2. The petitioner purchased the subject property under a registered sale deed on 30.08.2007. The petitioner's wife owned the property in Survey No.73/4B1 in the same village to an extent of 52 cents and she sold the same to one Johnson, who, in turn, sold the same to one D.Stella. The



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property in Survey No.73/1B3 is the only access to the petitioner's property, as common pathway. The property in Survey No.73/4B1 was subdivided as Survey No.73/4B1B and patta was issued in Patta No.6768 on 24.09.2023, showing the extent of land as 52 cents. But, in the FMB, the extent was shown as 55 cents. Taking advantage of the same, the said Stella obstructed the petitioner from using the pathway. The petitioner, therefore, made a representation on 28.05.2024 to the respondents to rectify the extent in the FMB. As no action was taken, the petitioner filed the above writ petition for the aforesaid relief.

3. Considering the limited prayer of the petitioner, without entering into the merits of the case, a direction is issued to the second respondent to consider the petitioner's representations, dated 28.05.2024 and 25.11.2024, and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of this order.

4. Writ Petition is disposed of accordingly. No costs.

10.01.2025

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

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N.MALA, J.

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