



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.2581 OF 2025

Solomon Sahayaraj

: Petitioner

.VS.

- 1.The District Collector,
District Collectorate,
Madurai.
- 2.The District Revenue Officer,
Madurai District.
- 3.The Revenue Divisional Officer,
Divisional Office(Madurai North),
Madurai.
- 4.The Tahsildar,
Vaadipatti Taluk,
Madurai.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to rectify the error in the FMB Sketch in S.No.161/2, 158/1C and 158/2 situated in Sembatti Village, Vadipatti Taluk, Madurai District by considering the petitioner's representation, dated 10.1.2024.

For Petitioner

:Mr.P.Edin Brough

For Respondent-3

:Mr.R.Raghavendran
Govt.Advocate

**ORDER**

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This Writ Petition is filed for a Writ of Mandamus directing the respondents to rectify the error in the FMB Sketch in S.No. 161/2, 158/1C and 158/2 situated in Sembatti Village, Vadipatti Taluk, Madurai District by considering the petitioner's representation, dated 10.01.2024.

2.Mr.R.Raghavendran, learned Government Advocate takes notice for the third respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner purchased the property in S.No.161 to an extent of 1 acre and 13 cents, under registered sale deed in Document No.3548/2024, dated 29.8.2024. After the Petitioner's purchase, S.No.161 was sub-divided into S.No.161/2 and patta was also issued in favour of Petitioner. The Petitioner also purchased properties in S.No.158/1B to an extent of 25 cents, S.No.158/1C to an extent of 45 cents, S.No.158/2 to an extent of 1 acre and 90 cents, S.NO.158/4B to an extent of 7 cents, S.No.159/5 to an extent of 36 cents and S.No.158/4A with a well under registered sale deed in Document No.3886/2024, dated 18.09.2024. Originally patta was granted in favour of the petitioner's vendor. After purchase by the petitioner, patta was transferred in his name.



While so, the Petitioner came to understand that in FMB Sketch in S.Nos.161/2, 158/2C and 158/2, a pathway was shown crossing through his property. Though the FMB Sketch showed that there was a pathway, the settlement register showed that the entire property was a patta land. According to the Petitioner during UDR proceedings, the Petitioner's lands were mistakenly marked as pathway. Therefore, the Petitioner sent a representation to the respondents 1 and 2 to rectify the error in the FMB Sketch in respect of S.No.161/2, 158/1C and 158/2 in Sembatti Village, Vadipatti Taluk, Madurai District. Since the Petitioner's representation was not considered, the Petitioner filed the above Writ Petition for the aforesaid relief.

4.The learned counsel for the Petitioner submits that though a larger relief to rectify the error in the FMB Sketch with respect to the subject lands was claimed, it would suffice if a direction is issued to the second respondent to consider and pass orders on the Petitioner's representation, dated 10.1.2025 within the time frame fixed by this Court.

5.Considering the limited prayer of the learned counsel for the Petitioner, a direction is issued to the second respondent to consider the Petitioner's representation, dated 10.01.2025 on



merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. It is needless to state that the Petitioner shall be given an opportunity of hearing before passing final orders.

6.The Writ Petition is accordingly disposed of. No costs.

29.01.2025

NSC :Yes/No
Index:Yes/No
Internet:Yes/No

vsn

To

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- 4.The Tahsildar,
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N.MALA, J.

vsn

ORDER MADE IN
W.P(MD)NO.2581 of 2025

29.01.2025