



W.P.(MD)No.4135 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4135 of 2025

Sulaiman

.... Petitioner

/Vs./

- 1.The District Collector,
Office of the District Collector,
Madurai-625 020.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.
- 4.The Tahsildar,
Office of the Tahsildar,
Thiruparankundram,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to delete the name of Ramasamy from the patta No.1576 and 8218 relating to the Perungudi Village survey number 132/1E and 132/1C3A by considering the



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representation dated 16.01.2025 consequently to issue a separate patta No.1576 and 8218 in the name of the petitioner in Patta No.1576 and 8218 on the basis of the Document No.3566 of 1995 on the file of the Madurai South Joint I Sub Registrar office by considering the petitioner's representation dated 16.01.2025 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to delete the name of one Ramaswamy whose name features in Patta numbers 1576 and 8218 relating to Survey No. 132/1E and 132/1C3A, Perungudi Village.

2. With the consent of the parties, the writ petition itself is taken up for final disposal.

3. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.



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4. The petitioner has given a representation dated 16.01.2025 to remove the name of Mr.Ramaswamy and to issue separate patta in the name of the petitioner based on the partition deed bearing document No.3566 of 1995.

5. The petitioner's grievance is that despite being the absolute owner of the subject lands, in the patta, the name of one Ramaswamy, who has no right or interest over the subject land, is finding place. He has, therefore, made an application for deleting the name of Mr.Ramaswamy from the patta numbers 1576 and 8218. The said representation was given on 16.01.2025.

6. The learned Special Government Pleader appearing for the respondents would submit that the third respondent would pass orders on the petitioner's application dated 16.01.2025 after putting Mr.Ramaswamy, on notice.

7. It is the specific case of the petitioner that there is no person by the name Ramaswamy who is interested in the subject lands.



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However, his name has been erroneously included in the patta which is sought to be removed by way of representation dated 16.01.2025. The learned counsel for the petitioner stated that he has also made an application under RTI Act to find out the whereabouts of the said Ramaswamy about the interest of the said Ramaswamy in the subject lands and in response to the said RTI application, the Public Information Officer, the Deputy Tahsildar, Thiruparankundram has replied on 20.02.2023 stating that there are no documents standing in the name of Mr.Ramaswamy Thevar.

8. In view of the above, the third respondent shall make an attempt to find out the whereabouts of Mr.Ramaswamy and serve notice on him before proceeding to pass orders on the petitioner's representation dated 16.01.2025. It is needless to state that in the event of the third respondent not being successful in tracing the whereabouts of Mr.Ramasamy, the third respondent shall proceed to pass orders on the petitioners application based on the documentary evidence provided by the petitioner. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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9. With the above directions, the writ petition is disposed of.

No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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Dated:
18.02.2025