



W.P.(MD)No.5326 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5326 of 2025

and

W.M.P(MD)No.3904 of 2025

C.Ravichandran

.... Petitioner

/Vs./

1.The District Collector,
Collectorate,
Madurai District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Melur,
Madurai District.

3.The Tahsildar,
Taluk Office,
Melur, Madurai District.

4.The Sub Registrar,
Sub Registrar Office,
Melur West, Madurai.

5.R.Balashankar

6.R.Raghavan

... Respondents



W.P.(MD)No.5326 of 2025

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate steps to rectify the mistakes occurred in the patta and FMB in S.F.No.38 and S.F.No.39, Karuthapuliyampatti Village, Block 6, Ward D, Melur Town, Melur Taluk, Madurai District in respect of the extent and issue patta and FMB for the correct extent of 1488 sq.ft as per the petitioner's sale deeds dated 31.07.2009, 05.05.2010 and 07.01.2011 by considering petitioner's representation dated 10.02.2025 within the time frame fixed by this Court.

For Petitioner : Mr.K.Balasundaram
Senior Counsel
for M/s.KBS Law Office

For R1 to R4 : Mr.M.Lingadurai
Special Government Pleader

ORDER

Considering the limited scope of the relief sought for in the writ petition, with the consent of the parties, the writ petition itself is taken up for final disposal at the admission stage.

2. I have heard the learned Senior Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the official respondents 1 to 4.



W.P.(MD)No.5326 of 2025

WEB COPY

3. The petitioner having purchased total extent of 1488 square feet under three registered sale deeds dated 31.07.2009, 05.05.2010 and 07.01.2011 applied for mutation of revenue records and for issuance of patta. However, the patta has been issued only in respect of 1377 sqft, for a lesser extent. On realising the said mistake committed by the Revenue Authorities in issuing patta, the petitioner has made a representation on 10.02.2025 seeking rectification of the mistake. It is also the case of the petitioner that the 4th respondent, taking advantage of the petitioner's mistake in patta, is trying to encroach into the petitioner's land and therefore, the counsel for the petitioner seeks expeditious disposal of the petitioner's application.

4. The learned Special Government Pleader, Mr.M.Lingadurai would submit that the authorities would have to conduct survey after putting on notice, the adjacent neighbouring land owners before passing any final orders on the petitioner's representation, dated 10.02.2025 and seeks for suitable direction to be issued in the writ petition.



W.P.(MD)No.5326 of 2025

WEB COPY

5. Having heard the learned counsel for the parties, I deem it fit to allow the writ petition with a direction to the second respondent the Revenue Divisional Officer to consider the petitioner's application and if necessary, direct the third respondent to conduct a survey, take measurements based on the petitioner's documents, title deeds and any earlier revenue records and also consider the objections of the respondents 5 & 6, if any, and thereafter the second respondent shall pass orders on merits, in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. The learned counsel for the petitioner also brought to my attention that the fourth respondent is in the process of entertaining registration which covers a portion of the petitioner's property and the parties to the transaction are taking advantage of the patta issued to the petitioner containing lesser extent.

7. The learned Special Government Pleader would invite my attention to the objections given by the petitioner to the Registration Department and including the fourth respondent the Sub-Registrar in this



W.P.(MD)No.5326 of 2025

WEB COPY

regard. Therefore, the fourth respondent is directed to not register any document which infringes upon the sale deeds in favour of petitioner to a total extent of 1488 square feet until such time the petitioner's application for rectification dated 10.02.2025 is disposed by the second respondent as directed herein above.

8. Accordingly, the writ petition is allowed. No costs.
Consequently connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

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W.P.(MD)No.5326 of 2025

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P.B. BALAJI, J.



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Order made in
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