



W.P.(MD) No.5524 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.5524 of 2025

V.Ramasamy

... Petitioner

vs.

1.The District Collector,
Pudukottai District, Pudukottai.

2.The District Revenue Officer,
Pudukottai District, Pudukottai.

3.The Revenue Divisional Officer,
Iluppur Taluk, Pudhukottai District.

4.The Thasildar,
Kulathur Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 25.11.2024 within the time stipulated by this Court.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mrs.K.Malathi
Additional Government Pleader



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ORDER

The petitioner has only sought for issuance of a Writ of Mandamus to direct the respondents to consider and pass orders on the representation dated 25.11.2024.

2.The petitioner had earlier moved this Court by way of a writ petition in W.P(MD)No.22408 of 2019 seeking direction to the fourth respondent to consider his representation dated 26.08.2019, regarding his inability to obtain patta, despite production of all relevant documents and several applications made to the authorities. This Court passed an order in the said writ petition directing the representation of the petitioner to be disposed of in accordance with law, as also on merits, within a period of eight weeks from the date of receipt of a copy of the said order. The petitioner, alleging willful disobedience of the said order, filed CONT.P(MD)No.1014 of 2020 and on the date of hearing of the contempt petition regarding the representation of the then Additional Government Pleader that the order had been complied with on 22.01.2021 and an adverse order had been passed rejecting the petitioner's request for patta, this Court has recorded the said submission and closed the contempt petition. It is the specific grievance of the petitioner that the said adverse order dated 22.01.2021 was never served on



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WEB COPY the petitioner and further, in any event, the said order dated 22.01.2021 was passed without affording an opportunity to the petitioner to put forth his case.

3.The learned Additional Government Pleader, on instructions, would submit that the patta was originally granted to one Ponnusamy Thalathi, the maternal grandfather of the petitioner. However, later during UDR survey, it was classified as 'Paaraibhoomi' (Rock lands) and subsequently, the survey number has been further subdivided and allotments have been made to eight eligible persons. She would, therefore, submit that much water has flown since the UDR survey and the petitioner is not entitled to any relief as prayed for.

4.I have carefully considered the submissions advanced by the learned counsel on either side.

5.Admittedly, the petitioner claimed that the subject land comprised in S.No.131/1 was settled on him by his maternal grandfather, Ponnusamy Thalathi, even as early as on 22.02.1965, which was duly registered on the file of the Kulathur Sub Registrar Office, Pudukkottai, in Document No.158 of 1965. Admittedly, the patta was standing in the name of the said Ponnusamy Thalathi, which is conceded by the learned Additional Government Pleader. The petitioner's



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request for mutation of patta in his favour was only based on the said settlement deed dated 22.02.1965. Only because no action was taken on his representations, the petitioner approached this Court in W.P(MD)No.22408 of 2019 and this Court also issued a direction to the fourth respondent to consider the petitioner's representation dated 26.08.2019, within a period of eight weeks. Thereafter, the petitioner again approached this Court by way of contempt petition, alleging that despite the direction issued by this Court in W.P(MD)No.22408 of 2019, the fourth respondent had not passed any orders. At the time of hearing the contempt petition, it was brought to the notice of this Court that the order of this Court was complied with on 22.01.2021 itself. Recording the said submissions, the contempt petition also was closed. The petitioner's grievance is that despite making such a submission before this Court in the contempt proceedings, the petitioner was never put on notice about the said order dated 22.01.2021. In fact, the respondents are unable to show that the said order was served on the writ petitioner. Eventhough the order appears to have been passed wayback in the year 2021, the petitioner, till date has not been in a position to even know the nature of the order. Though the writ petition is only seeking for issuance of a writ of mandamus to dispose of the petitioner's representation dated 25.11.2024 seeking rectification of the mistake in the 'A' register classifying the subject lands as



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'Paaraibhoomi' (Rock lands) and to consequently issue patta to the petitioner based on his registered documents, I deem it fit to dispose of this writ petition in the following manner:

(i) The order, if any, dated 22.01.2021 passed by the fourth respondent is set aside;

(ii) The fourth respondent shall conduct an enquiry with the petitioner as well as the other interested persons, who may be adversely affected and after affording an opportunity to all these persons, including the petitioner, shall pass final orders on the petitioner's application for the alleged rectification of mistake in the 'A' register, classifying the subject lands of 'Paaraibhoomi';

(iii) If the fourth respondent comes to a conclusion that the classification of the subject lands as 'Paaraibhoomi' was only a mistake and the petitioner is entitled to grant of patta based on the settlement deed in his favour executed by the maternal grandfather, Ponnusamy Thalathi, who was admittedly, the pattadhar in the year 1965, then the fourth respondent shall issue patta to the petitioner;



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(iv) The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observations and directions, this Writ Petition is disposed of. No costs.

10.03.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No

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