



W.P.(MD) No.5697 of 2023

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 02.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.5697 of 2023

and

W.M.P.(MD)No.5302 of 2023

1.K.Muthathaal
2.SP.Uthirapathi

... Petitioner

Vs.

1.The District Collector,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai.

3.The Tahsildar,
Karaikudi.

4.The Karaikudi Municipality,
Through its Commissioner,
Karaikudi.

5.Manimekalai
6.Karuppaiah



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7.Mariyadass

8.Ganesan

... Respondents

[Respondents 6 to 8 are impleaded vide court order dated 06.07.2023 in W.M.P.(MD)No.10711/2023 in W.P.(MD)No. 5697/2023]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to rectify the mistaken entries in the Town Survey Land Register for the lands in T.S.No.365/1, Karaikudi Town, by deleting the name of the fifth respondent herein and by deleting the entry 'street'.

For Petitioner : Mr.VR.Shanmuganathan

For Respondent 1 to 3 : Mr.K.Balasubramani

Special Government Pleader

For Respondent No.4 : Mr.E.P.Venkateshwar

Standing Counsel

For Respondents 5to8 : Mr.P.Aju Thagore

ORDER

The present Writ Petition has been filed seeking for a direction to the respondents 1 to 4 to rectify the mistaken entries in the Town Survey Land Register for the lands in T.S.No.365/1,



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Karaikudi Town, by deleting the name of the fifth respondent herein and by deleting the entry 'street'.

2.The grievance of the petitioners is that the property in S.No.365/1 belongs to the petitioners and that the fifth respondent has falsely entered her name in the Town Survey Land Register as if the said land in S.No.365/1 stands in her name and that it is used as a street, without the knowledge of the petitioner. On coming to know about the same, the petitioners have made representations to the respondents on 06.03.2023 for rectification of the error in the Town Survey Land Register and for changing the classification of the land.

3.Learned Counsel for the petitioner would further submit that this Court had granted an interim order on 16.03.2023 and till date, such order is continuing and no road has been laid. In the meantime, the petitioners have filed an appeal before the Revenue Divisional Officer, for the purpose of re-classification of the subject land as a patta land belonging to the petitioners and the same is pending. He further prays this Court to continue the interim order granted by this Court till the disposal of the appeal.



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4.Learned Counsel for the Special Government Pleader would submit that as far as the classification is concerned, the subject land has been classified as a street for several years and now it cannot be changed as a patta land.

5.This Court has considered the submissions made by the learned Counsel on either side and perused the materials available on record.

6.Admittedly, the appeal is pending before the Revenue Divisional Officer for re-classification of the subject land as patta land instead of street. In any event, if the re-classification is allowed, certainly, the official respondents cannot lay road since it is a patta land. Also, since the interim order granted by this Court on 16.03.2023 is still continuing as on date, this Court feels that keeping this Writ Petition pending will serve no useful purpose. Hence, this Court directs the Revenue Divisional Officer, Devakottai, to dispose of the said appeal preferred by the petitioner in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order, after affording an opportunity of hearing to all the parties concerned. Till then, the



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interim order granted by this Court dated 16.03.2023, shall
continue.

7. With the aforesaid direction, this Writ Petition stands
disposed of. There shall be no order as to costs. Consequently, the
connected miscellaneous petition is closed.

02.12.2025

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

MR



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KRISHNAN RAMASAMY, J.

MR

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