



W.P.(MD)No.17647 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.17647 of 2023

P.R. Kannappan

.... Petitioner

/Vs/

1. The District Collector,
Sivagangai District.
2. The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Kalayarkovil Taluk,
Sivagangai District.
4. The Commissioner,
Kalayarkovil Panchayat Union,
Kalayarkovil,
Sivagangai District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to implement the direction of the 2nd respondent in his proceedings in Oo.Moo.A3/6853/2020 dated 29.10.2020 and submit a report to the 2nd



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respondent in relation to the land in S.No. 74/1B situated at Somanathamangalam Village Group, Kalayarkovil Taluk, Sivagangai District to an extent of 29 cents belonging to the petitioners late mother Deivanai Aachi and further directing the 2nd respondent to issue patta for the said land in the name of the petitioner.

For Petitioner : Mr. V.Kannan

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the second respondent to consider the petitioner's representation dated 26.07.2022 and also the directions of the second respondent dated 29.10.2020 and issue patta to an extent of 29 cents in the name of the petitioner's mother Deivanai Aachi.

2. The specific contention of the petitioner is that the petitioner's predecessor-in-interest has donated 8 acres of land to the Government with the main objective of public utility. The grievance of the petitioner is that though only 8 acres have been gifted, the revenue records were mutated to an extent of 8 acres and 29 cents and therefore, the petitioner has sought for necessary corrections to be carried out and patta being



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issued to the petitioner in respect of 29 cents, which has been retained.

The petitioner also places reliance on the proceedings of the second respondent / Revenue Divisional Officer, Sivagangai. The petitioner also relies on the judgment and decree in O.S.No.152 of 2017 and only placing reliance on the strength of the said decree, the petitioner has repeatedly sought for release of 29 cents and issuance of separate patta in his name.

3. The learned Government Advocate appearing for the respondents, on written instructions, would submit that the Tahsildar, the third respondent has already called for an enquiry and issued notice to the petitioner to produce all documents in support of the entitlement to the petitioner to the said 29 cents. Copy of the notice is also produced before me. I see that the Tashildar had proposed an enquiry and issued notice on 03.04.2025 calling upon the petitioner to produce all the relevant documents.

4. The learned counsel for the petitioner submitted that already necessary documents have been submitted to the second respondent. In



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any event, since the second respondent has called for a report from the third respondent, the petitioner shall appear before the third respondent and produce copies of all relevant documents in support of his claim for patta to an extent of 29 cents in Survey No.74/1B, Somanathamangalam Village Group, Kalayarkovil Taluk, Sivagangai District, within a period of four weeks from the date of receipt of a copy of this order. The third respondent shall forward his report to the second respondent, who shall thereafter, pass final orders, keeping in mind the judgement decree of the Civil Court in O.S.No.152 of 2017. The Revenue Divisional Officer shall pass orders within four weeks from the date of receipt of the report from the third respondent. The Tahsildar shall also conduct survey, if necessary.

5. 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

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