



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.21521 of 2015

S.A.Michael

... Petitioner

Vs.

1.The District Revenue Officer,
Thanjavur District,Thanjavur.

2.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 16.02.2015 and pass orders on the petitioner's representation and to make necessary entry in the Updating Register maintaining by the second respondent and pass necessary order within a time stipulated by this Court.

For Petitioner	: Mr.V.Sasikumar
For Respondents	: Mr.M.Murugan Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

2.The petitioner seeks for a direction to the first respondent to consider his representation dated 16.02.2015 and make necessary entry in the Updating Register maintained by the second respondent.

3. Previously, seeking for grant of UDR patta, the petitioner made a representation on 15.05.2008 in respect of the lands comprised in several survey numbers. When such representation was not considered and disposed of, a writ petition came to be filed in W.P.No.18041 of 2014 by the petitioner before this Court and the said writ petition came to be disposed of on 10.11.2014 by directing the District Revenue Officer, Thanjavur to consider the above application of the petitioner dated 05.03.2008 and pass orders on the same on merits. Consequent upon such order, the first respondent passed an order on 28.01.2015 whereby the request of the petitioner in respect of Survey Nos. 447/13, 447/14, 447/1, 447/5, 447/6 and 448/6B was rejected. However insofar as the three Survey Numbers 443/5 measuring 0.042.0 hectares, 443/6 measuring 0.12.0 hectares and 448/4D measuring 0.03.0 hectares are concerned, the first respondent found that though the petitioner is in possession of those lands, he has not produced any documents in support of such possession and therefore, informed the petitioner that if he produces those documents, his request for making necessary entry in the UDR will be



considered.

4. It is seen that consequent upon such order passed by the first respondent on 28.01.2015, the petitioner has made a request on 16.02.2015 stating that he has enclosed the documents in support of his claim. A perusal of such representation though indicates that the petitioner has not confined his request in respect of the above said three survey numbers alone, which are found to be in possession of the petitioner, the learned counsel appearing for the petitioner submits that the representation made by the petitioner enclosing the necessary documents dated 16.02.2015 can be construed and considered as the representation confining the request of the petitioner only in respect of the lands covered in those three survey numbers referred to in the order of the first respondent at the last paragraph. Therefore, it is stated that the above representation may be considered by the first respondent and appropriate orders shall be passed.

5. Considering the above stated facts and circumstances and without expressing any view on the claim made by the petitioner, I only direct the first respondent to consider the representation of the petitioner dated 16.02.2015 confining such representation only to those three survey numbers and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

CM

To

1.The District Revenue Officer,
Thanjavur District,Thanjavur.

2.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

+1CC to Spl.Government Pleader Sr.No.69411
+1CC to Mr.V.Sasikumar Advocate Sr.No.69181

GJM/GSV/AN/9.12.2015-2P-5C

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