

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9248 of 2016

M.Valliammai

.. Petitioner

Vs.

1. The District Collector, Salem District.
2. The District Revenue Officer, Salem.
3. The Revenue Divisional Officer, Attur.
4. M.Chandran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent herein to consider the petitioner's representation, dated 07.10.2015 and cancel the UDR patta bearing S.No.504/24 and direct the second respondent to issue UDR pata in the name of the petitioner.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.V.S.Ramesh, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent herein to consider the petitioner's representation, dated 07.10.2015 and cancel the UDR patta bearing S.No.504/24 and direct the second respondent to issue UDR pata in the name of the petitioner.

2. In the affidavit filed in support of the Writ Petition, it is averred by the petitioner that the property bearing S.No.504/24 belongs to her on the basis of a registered sale deed and in the said property, she had built a thatched house and paying house tax, etc. It is her grievance that on verification of the Revenue Records, she found that the UDR patta in respect of the above property, was wrongly given in the name of the fourth respondent, who is no way connected with the said property. Hence, she made oral representation and subsequently written representation, dated 07.10.2015 to the respondents 1 to 3 to cancel the UDR patta bearing S.No.504/24 wrongly issued in the name of the fourth respondent. As the said representation was not considered, she has filed this Writ Petition for the above relief.

3. Heard both sides. In view of the order that is going to be passed in this Writ Petition, it is not necessary to issue notice to the fourth respondent.

4. Considering the above factual aspects of the matter, this Court directs the second respondent to consider the said representation of the petitioner, dated 07.10.2015, conduct enquiry, give an opportunity of personal hearing to the petitioner and necessary parties, including the fourth respondent herein and thereafter pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the second respondent to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.
cs

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector, Salem District
2. The District Revenue Officer, Salem.
3. The Revenue Divisional Officer, Attur.

+ 1 cc to Govt.Pleader SR 16040

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