



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No. 2713 of 2017

A.Shenbagavalli. ... Petitioner

vs.

1.The Tahsildar,
Tirunelveli Taluk,
Taluk Office,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli.

(Second respondent is suo-motu impleaded as second respondent
by order of this Court dated 17.2.2017) ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India Praying this Court for issuance of a Writ of Mandamus directing the respondents to consider the Petitioner's representation dated 17.2.2016 within the period fixed by this Court, which is relating to grant of patta in the Petitioner's name as an Akthar for the property in Ayan Nanja lands in Survey Nos.79/1 ad-measuring 7 cents, Survey No.79/2, ad-measuring 19 cents, Survey No.79/8A2B ad-measuring 33 cents, Survey No.110/1 ad-measuring 19 cents, Survey No.113 ad-measuring 1 acre and 13 cents, Survey No.122/B-1, ad-measuring 1 acre and 22 cents situated at Manimoortheeswaram Village, Tirunelveli Talui, Tirunelveli District.

For Petitioner	: Mr.T.Selvan,
For Respondents	: Mr.T.S.Mohammed Mohideen Addl.Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to consider the Petitioner's representation dated 17.2.2016 within the period fixed by this Court, which is relating to grant of patta in the Petitioner's name as an Akthar for the property in Ayan Nanja lands in Survey No.79/1 ad-measuring 7 cents, Survey No.79/2, ad-measuring 19 cents, Survey No.79/8A2B ad-measuring 33 cents, Survey No.110/1 ad-measuring 19 cents, Survey No.113 ad-measuring 1 acre and 13 cents, Survey No.122/B-1, ad-measuring 1 acre and 22 cents situated at Manimoortheeswaram Village, Tirunelveli Talui, Tirunelveli District.



2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents 1 and 2.

3.By consent of both parties, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

4.The limited prayer sought for in this Writ Petition is to correct the mistake crept in UDR, whereby the properties in Survey No.79/1 ad-measuring 7 cents, Survey No.79/2, ad-measuring 19 cents, Survey No.79/8A2B ad-measuring 33 cents, Survey No.110/1 ad-measuring 19 cents, Survey No.113 ad-measuring 1 acre and 13 cents, Survey No.122/B-1, ad-measuring 1 acre and 22 cents situated at Manimoortheeswaram Village, Tirunelveli Taluk, Tirunelveli District have been wrongly classified as 'Thuvadesi Kattalai'. The Petitioner who is in possession and enjoyment of the above said properties as an Akthar, has sought for rectification in the UDR.

5.The appropriate authority to carry out the rectification in UDR is only the District Revenue Officer, Tirunelveli. However, the petitioner's application has been made only to the first respondent herein and hence it would be appropriate that the petitioner should be granted liberty to approach the appropriate authority for the rectification. Hence the District Revenue Officer, Tirunelveli is suo-motu impleaded as second respondent in this Writ Petition.

6.In view of the limited scope of the prayer sought for in this writ petition and without going into the merits of the claim made by the Petitioner, there shall be a direction to the second respondent to consider the petitioner's representation, dated 17.2.2016 on its own merits and in accordance with law and pass orders on the same, within a period of three months from the date of receipt of a copy of this order. While conducting such enquiry, the District Revenue Officer, Tirunelveli shall issue notice to the persons who may be interested in the subject lands.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

1.The Tahsildar,Tirunelveli Taluk, Taluk Office,Tirunelveli.

2.The District Revenue Officer, Tirunelveli.

+1CC to M/S.T.Selvan, Advocate, SR.No. 8994

+1CC to the Special Government Pleader, SR.No. 9221

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