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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2017

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.7320 of 2017

M.Murugan ..Petitioner

Vs

The District Revenue Officer,
Madurai District,
Madurai. ..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to take necessary action to issue a fresh patta to the actual and factual title-holder of petitioner's brother namely "M.Balasubramanian" instead of wrong UDR "Patta No.524, Re-Survey No.306/1 with the extent of 0.53.5 punja to the favour of Sivasankaranpillai's sons S.Balasubramanian and S.Manickam", on the basis of the petitioner's representation dated 13.04.2017.

For Petitioner : M/s.R.Sundar

For Respondent : Mr.M.Alagathevan
Spl.Govt.Pleader

ORDER

This Writ Petition has been filed to issue direction to the respondent to take necessary action to issue a fresh patta to the actual and factual title-holder of petitioner's brother namely "M.Balasubramanian" instead of wrong UDR "Patta No.524, Re-Survey No.306/1 with the extent of 0.53.5 punja to the favour of Sivasankaranpillai's sons S.Balasubramanian and S.Manickam", on the basis of the petitioner's representation dated 13.04.2017.

2.Heard, the learned counsel appearing for the petitioner and the learned special Government Pleader appearing for the respondent.

3.The Petitioner would state that the ancestral properties and the properties of his father were partitioned in the year 1968, vide partition deed No.4325 of 1968, in which G-Schedule property was allotted to the petitioner and F-Schedule property was allotted to his brother M.Balasubramanian.

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4. The petitioner would further state that the said M.Balasubramanian and his wife had died and his property, in Survey No.692/1, Nilaiyur I Bit Village to an extent of 1 acre and 32 cents, was enjoyed by the petitioner and his other brothers. The said M.Balasubramanian was issued patta in patta No.792 for the land in Survey No.692/1, but in the UDR record it was wrongly mentioned as Patta No.524, Re-Survey No.306/1, with an extent of 0.53.5 punja, in the favour of Sivasankaranpillai's sons S.Balasubramanian and S.Manickam. So the petitioner gave a representation, dated 03.03.2017 for taking necessary action to correct the Patta Number and the Survey Number. Since no action was taken, the petitioner sent another representation on 13.04.2017. Even then the respondent did not pass any orders. Hence, the Present Writ Petition has been filed.

5. Considering the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the respondent to consider the representation of the Petitioner, dated 13.4.2017 pass orders on merits and in accordance with law after providing opportunity to the necessary parties within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The District Revenue Officer,
Madurai District,
Madurai.

+One cc to Mr.R.Sundar, Advocate, SR.No.59111
+One cc to The Special Government Pleader, SR.No.59235

TA/CP
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