



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

W.P.(MD)No.23146 of 2017
and
W.M.P.(MD)No.19459 of 2017

V.Pandiarajan

... Petitioner

Vs.

1.The District Revenue Officer,
The District Collector Campus,
Madurai District, Madurai-20.

2.The Tahsildar,
East Taluk Office,
Madurai District.

3.The Block Development Officer,
Madurai East Panchayat Union,
Chockikulam Madurai.

4.S.Yogarajan

... Respondents

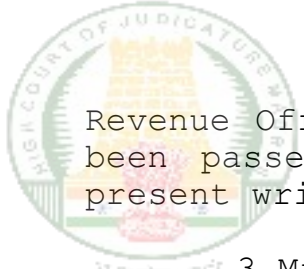
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to rectify the UDR Mistake in Survey No.73/21 situated Ilangiendal Village, Madurai East Taluk, Madurai District and further direct the respondents 1 to 3 do not interfere with the petitioner's property in Survey No.73/17 and 73/67 in Ilangiendal Village, Madurai East Taluk, Madurai District in any way based on the petitioner's representation dated 25.11.2017 within a time stipulated by this Court.

For Petitioner	: Mr.G.Gomathi Sankar
For R1 to R3	: Mr.M.Rajarajan, Government Advocate
For R4	: Mr.R.Anand

ORDER

This writ petition has been filed, seeking a direction to the first respondent to rectify the mistake occurred in the UDR Scheme in respect of Survey No.73/21 situated at Ilangiendal Village, Madurai East Taluk, Madurai District .

2.The grievance of the petitioner is that during the UDR Scheme, in the property owned by the petitioner, there is some changes were occurred by which some extent of the petitioner's property is shown as public road in Survey No.73/21. Hence, the petitioner filed an application dated 25.11.2017 before the District



Revenue Officer to correct the mistake. But, so far, no order has been passed on the representation of the petitioner, hence, the present writ petition has been filed.

3. Mr. R. Anand, learned counsel appearing for the fourth respondent has submitted that in respect of the very same property, several litigations are filed by the petitioner and the same were dismissed. In the above circumstances, this writ petition is not maintainable.

4. I have heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent and also perused the materials available on record carefully.

5. It is the grievance of the petitioner that during the UDR Scheme, certain extent of property belongs to the petitioner in Survey Nos. 73/17 and 73/67 has been wrongly shown as public road in Survey No. 73/21. According to the petitioner, it is the mistake committed in the UDR Scheme. In the above circumstances, the first respondent / District Revenue Officer is directed to conduct an enquiry and measure the petitioner's property in Survey Nos. 73/17, 73/67 and also 73/21 as per the original revenue records, and if it is found that the petitioner's property has been wrongly included in the road, the District Revenue Officer is directed to make a correction in the patta. If on survey it is found that extent available in the Survey No. 73/21 is in as per the original revenue record, no correction needs to be made. The petitioner as well as the fourth respondent are directed to co-operate with the first respondent and also directed to submit relevant revenue records which are in their possession. It is also made clear that the petitioner and the fourth respondent should not make any objections to the first respondent for measuring the property. The above said exercise should be completed within a period of four weeks from the date of receipt of a copy of this order.

6. It is submitted by the fourth respondent that now the petitioner is preventing the general public from using the road, but it is denied by the petitioner. However, till the survey completed by the first respondent, the petitioner is directed not to obstruct the pathway.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

1.The District Revenue Officer,
The District Collector Campus,
Madurai District, Madurai-20.

2.The Tahsildar,
East Taluk Office,
Madurai District.

3.The Block Development Officer,
Madurai East Panchayat Union,
Chockikulam Madurai.

+1cc to M/S.G.Gomathi Sankar, Advocate SR.No. 48750

+1cc to M/S.R.Anand, Advocate SR.No. 49290

+1cc to Special Government Pleader, SR.No. 48975

W.P (MD) No.23146 of 2017
14.02.2018

MYR

JM/SV MMS/SAR 1/27.02.2018/3P/7C