

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.07.2019****CORAM****THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.15256 of 2019****WEB COPY**

K.P.Venkatraman

... Petitioner

-Vs-

1. The District Collector,
Dindigul District.
2. The District Revenue Officer,
Dindigul District.
3. The Revenue Divisional Officer,
Dindigul District.
4. The Tahsildar,
Dindigul East Taluk,
Dindigul District.
5. Ganapathy Pillai
6. Dhanapackiam
7. Karuppayee Ammal

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 3rd respondent to rectify the error in issuing patta for 22 Cents in the name of the 5th respondent and 12 cents in the name of the 6th respondent out of the petitioner's land in 1 Acre 24 Cents in S.No.132 and in issuing patta for 24 Cents out of his 91 Cents in S.No.130/2 in the name of the 7th respondent wrongly during UDR and after making the correction to issue patta in the name of the petitioner for the said lands, by disposing his representation dated 13.05.2019.

For Petitioner : Mr.R.Suriyanarayanan
For Respondents : Mr.C.M.Mari Chelliah Prabhu,
AGP for RR1 to 4

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 3rd respondent to rectify the error in issuing patta for 22 Cents in the name of the 5th respondent and 12 cents in the name of the 6th respondent out of the petitioner's land in 1 Acre 24 Cents in S.No.132 and in issuing patta for 24 Cents out of his 91 Cents in S.No.130/2 in the name of the 7th respondent wrongly during UDR and after making the correction to issue patta in the name of the petitioner for the said lands, by disposing his representation dated 13.05.2019.



2. Heard Mr.R.Suriyanarayanan, learned counsel appearing for the petitioner and Mr.C.M.Marichelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 4. Since no adverse order is going to be passed against the respondents 5 and 6, notice to them is dispensed with.

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3. With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4. The petitioner, in order to rectify the alleged mistake with regard to the patta issued in respect of the lands in S.No.132 and S.No.130/2, where allegedly private respondents' name have been included, had given a representation to the 2nd respondent on 22.10.2018 and on receipt of the same, the 2nd respondent forwarded the said representation to the 3rd respondent for taking suitable action by proceedings in O.Mu.No.35602/2018/Aa4 dated 22.11.2018. Despite this communication, the representation of the petitioner has not been considered by the 3rd respondent and therefore, the petitioner is before this Court.

5. I have heard the learned Additional Government Pleader appearing for the respondents 1 to 4, who would submit that, the said representation of the petitioner dated 22.10.2018 as has been directed by the 2nd respondent vide his proceedings dated 22.11.2018 would be considered on merits, after giving notice to both the petitioner and the rival claimants and final orders would be passed thereon, within a time frame.

6. Considering the limited scope of the prayer in this writ petition, this Court is inclined to dispose of this writ petition with the following direction:

"The 3rd respondent is directed to consider the request of the petitioner dated 22.10.2018 as directed by the 2nd respondent by his proceedings dated 22.11.2018 and pass orders thereon, on merits and in accordance with law, of course, after giving a reasonable opportunity of being heard by sending separate notice to both the petitioner and the private respondent and the final order shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //



To

1.The District Collector,
Dindigul District.

2.The District Revenue Officer,
Dindigul District.

3.The Revenue Divisional Officer,
Dindigul District.

4.The Tahsildar,
Dindigul East Taluk,
Dindigul District.

+1 CC to Mr.R.SURIYANARAYANAN, Advocate (SR-74001[F] dated
08/07/2019)

+1 CC to SPL GP (SR-74234[F] dated 09/07/2019)

Order made in
W.P. (MD) No.15256 of 2019
Dated:**08.07.2019**

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MK (26.08.2019) 3P 7C