



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18336 of 2019

WEB COPY

Narayanan

... Petitioner

-Vs-

1.The District Revenue Officer,
Collectorate Complex,
Virudhunagar,
Virudhunagar District

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Thasildar,
Taluk Office,
Aruppukottai,
Virudhunagar District.

4. Aadaikkalam

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to cancel the Patta issued to the 4th respondent as Patta No.47, during UDR Scheme for the Petitioners family property bearing S.No.257/1, 257/3, situated at Sempatti Village, Aruppukottai Taluk, Virudhunagar District.

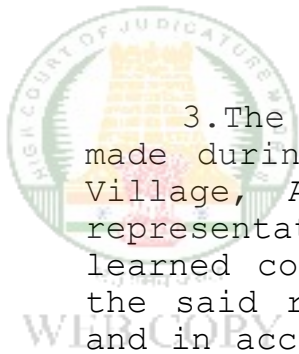
For Petitioner : Mr.R.Murugappan

For R1 to R3 : Mr.P.Kannithevan, A.G.P.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to cancel the Patta issued to the 4th respondent as Patta No.47, during UDR Scheme for the Petitioners family property bearing S.No.257/1, 257/3, situated at Sempatti Village, Aruppukottai Taluk, Virudhunagar District.

2.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the 4th respondent, notice to him is dispensed with.



3.The petitioner, in order to cancel the patta in patta No.47 made during UDR survey in S.No.257/1, 257/3, situated at Sempatti Village, Aruppukottai Taluk, Virudhunagar District, has given a representation on 25.07.2019 to the 2nd respondent. Hence, the learned counsel appearing for the petitioner would submit that, if the said representation is decided by the 2nd respondent on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner dated 25.07.2019 would be decided by the 2nd respondent on merits within a time frame, of course, after giving an opportunity to the petitioner as well as the 4th respondent.

5.Considering the said submission made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 2nd respondent is hereby directed to consider the representation of the petitioner dated 25.07.2019 and pass orders thereon, on merits and in accordance with law, of course, after hearing the petitioner as well as the 4th respondent and also any other rival claimants and pass orders on merits, within a period of eight weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

1.The District Revenue Officer,
Collectorate Complex,
Virudhunagar,
Virudhunagar District

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

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



3.The Thasildar,
Taluk Office,
Aruppukottai,
Virudhunagar District.

+1.CC. To Mr.R.Murugappan, Advocate in SR No.83370

Order made in

W.P. (MD) No.18336 of 2019

Dated:**26.08.2019**

MK (11.12.2019) 3P 5C