



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P(MD)No.24808 of 2019

M.Meena

... Petitioner

/Vs./

1.The District Revenue Officer,
Madurai District, Madurai.

2.The Executive Officer,
Sri Edaganathar Kovil Thirukalyana Trustee,
Thiruvedagam Village,
Vadipattti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st respondent to dispose of the petitioner's Appeal in Na.Ka.No.G5/39743/2018 which was filed to rectify the UDR Mistake in respect of her landed property to an extent of 45 ½ cents comprised in Survey No.219/7 situated at Thiruvedagam Village, Vadipatti Taluk, Madurai District and to restore the patta in her name, within the time as stipulated by this Court.

For Petitioner: Mr.J.Lawrance

For R-1 : Mr.K.Mu.Muthu

Additional Government Pleader

For R-2 : Mr.C.Guhaseelarupan

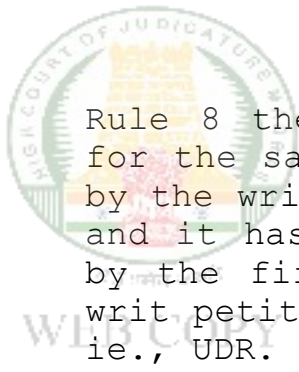
ORDER

Mr.J.Lawrance, learned counsel on record for writ petitioner, Mr.K.Mu.Muthu, learned Additional Government Pleader, who accepts notice on behalf of first respondent and Mr.C.Guhaseelarupan, learned counsel who accepts notice on behalf of second respondent (second respondent is present in Court) are before this Court.

2. With consent of all the aforesaid learned counsel, main writ petition is taken up, heard out and is being disposed of.

3. Entire writ petition now turns on very narrow compass. Subject matter of instant writ petition is 'land comprised in S.No.219/7 in Thiruvedagam Village, Vadipatti Taluk, Madurai District' (hereinafter referred to as 'said land' for the sake of brevity, clarity and convenience).

4. Short point shorn of elaboration is that writ petitioner has filed an 'application before first respondent *inter alia* under 'Board Standing Order' ('BSO' for brevity) 31, more particularly



Rule 8 therein' (hereinafter referred to as 'said application' for the sake of brevity). Said application under BSO 31 (8) filed by the writ petitioner pertaining to said land is dated 27.08.2018 and it has been assigned reference bearing Na.Ka.No.39743/2018/G5 by the first respondent. Said application has been filed by the writ petitioner complaining that an error has occurred in updation ie., UDR.

5. In the hearing, learned counsel for writ petitioner submits that the scope of instant writ petition is very narrow and limited. Notwithstanding very many averments made in the affidavit filed in support of instant writ petition, notwithstanding several grounds urged /contentions canvassed in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the prayer in the writ petition and submits that it would suffice if there is a direction to the first respondent to dispose of said application.

6. Therefore, it is not necessary to dilate further on facts. More importantly, this Court refrains itself from expressing any opinion whatsoever on merits of the matter.

7. Learned State counsel confirms that said application is now pending on the file of the first respondent.

8. Before this Court proceeds to dispose of this writ petition by giving a suitable direction, submission of learned counsel for second respondent is recorded as it is of relevance.

9. Second respondent has been described as 'The Executive Officer, Sri Edaganathar Kovil Thirukalyana Trustee, Thiruvudagam Village, Vadipattti Taluk, Madurai District' in instant writ petition.

10. Learned counsel for second respondent submits that the name of the Temple is 'Arulmigu Edaganathar Swamy Thirukovil, Thiruvudagam Village, Vadipattti Taluk, Madurai District - 625 234'.

11. As there is no disputation that the aforesaid description is the correct description of the second respondent, first respondent is directed to carry out necessary amendment in the said application before proceeding with the application.

12. As the submission is made with consent of learned counsel on both sides, this Court is dispensing with the formality of formal amendment application before the first respondent. This is done to eliminate avoidable complications in future.



13. This writ petition is disposed of by directing the first respondent to dispose of writ petitioner's said application ie., application under BSO 31(8) dated 27.08.2018 on its own merits, in accordance with law, after affording reasonable opportunity to the writ petitioner as well as the second respondent (second respondent has already received hearing notice dated 05.02.2019 fixing hearing on 15.02.2019 which now stands adjourned) as expeditiously as possible and in any event within eight (8) weeks from the date of receipt of a copy of this order.

14. The order of the first respondent disposing of said application of the writ petitioner shall be communicated under due acknowledgement to writ petitioner and the second respondent within seven (7) working days from the date of the order. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

The District Revenue Officer,
Madurai District, Madurai.

+1 CC to M/s.SPL GP (SR-100913[F] dated 25/11/2019)

+2 CC to M/s.DR.C.GUHASEELARUPAN, Advocate (SR-100506[F] dated 22/11/2019)

+1 CC to M/s.J. LAWRANCE, Advocate (SR-100827[F] dated 25/11/2019)

Order made in
W.P(MD)No.24808 of 2019

Dated:
22.11.2019

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