

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13734 of 2020

M.Aanandan

...Petitioner

Vs.

1. The District Collector,
Salem District,
Salem.

2. The Revenue Divisional Officer,
Sankagiri Revenue Division,
Sankagiri,
Salem District.

3. The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.

4. The District Revenue Officer,
Salem.

...Respondents

[R4 suo motu added as respondent vide this order
dated 30.09.2020 in W.P.No.13734 of 2020]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents 2 and 3 to restore the S.No.90/1 in the Patta No.483 and also re-classified as Nanja Land and issue Patta in the name of Petitioner's family in respect of agricultural land in S.No.90/1, situated at Poolampatti Village, Edappadi Taluk, Salem District within a stipulated time.

For Petitioner : Mr.M.R.Jothimanian

For Respondents: Mr.E.Balamurugan
Special Government Pleader

O R D E R

The District Revenue Officer, Salem, is suo motu added as the 4th respondent in the present writ petition.

2.This writ petition has been filed for issuance of a writ of mandamus directing the respondents to carry out the necessary changes in the revenue records and to issue patta in the name of the petitioner with respect to the subject property.

3.The case of the petitioner is that the property in Survey No.90/1 to an extent of 86 cents was settled in favour of one Moppu Reddy by the Special Tahsildar, by proceedings dated 14.12.1981. He died and subsequently, the petitioner, being his son, inherited his property. The grievance of the petitioner is that, during the UDR Scheme, the concerned property was recorded to be belonging to the Government. The petitioner made a representation to the respondents to carry out the correction and to issue patta in the name of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Mr.E.Balamurugan, learned Special Government Pleader, appearing on behalf of the respondents, submitted that, based on the representation made by the petitioner, the 3rd respondent has fixed a preliminary enquiry on 09.10.2020 at 11.00 a.m. The learned counsel submitted that the petitioner can participate in the enquiry and submit all the relevant documents. The learned counsel further submitted that a report will be submitted by the 3rd respondent to the 4th respondent and ultimately, the 4th respondent will pass appropriate orders in accordance with law.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the representation made by the petitioner has already been taken on file and the 3rd respondent has also fixed the date of enquiry, there shall be a direction to the 3rd respondent to complete the enquiry and submit a report before the 4th respondent within a period of four weeks from the date of receipt of a copy of this order. The 4th respondent, on receipt of the report, shall pass appropriate orders, strictly in accordance with law, within a period of six weeks thereafter.

This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

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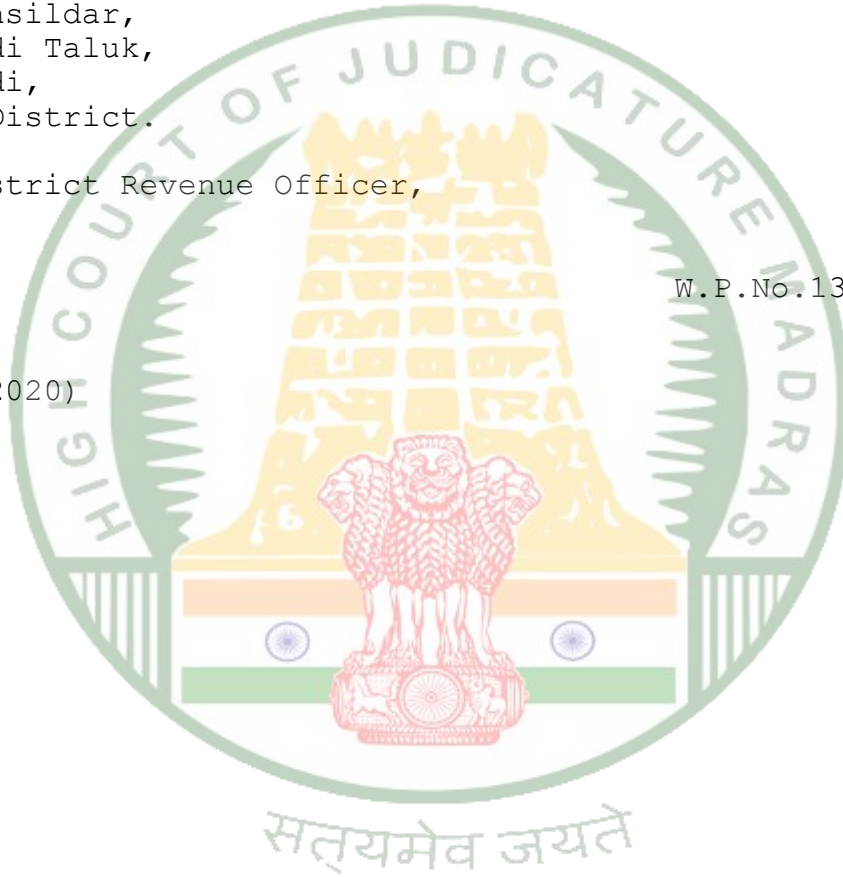
Sub Assistant Registrar

To

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Sankagiri Revenue Division,
Sankagiri,
Salem District.
3. The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.
4. The District Revenue Officer,
Salem.

W.P.No.13734 of 2020

MG(CO)
RV(09/12/2020)



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