

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18886 of 2020

R.Jagathambal

...Petitioner

Vs.

1. The District Collector,  
Tiruvannamalai District,  
Tiruvannamalai.

2. The Revenue Divisional Officer,  
Tiruvannamalai,  
Tiruvannamalai.

3. The Tahsildar,  
Kilpenathur Taluk,  
Tiruvannamalai District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3<sup>rd</sup> respondent to submit the report to the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent to pass order on the petitioner representation dated 29.02.2020.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents: Mr.K.Parameshwaran  
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the 3<sup>rd</sup> respondent to submit the report to the 2<sup>nd</sup> respondent in order to enable the 2<sup>nd</sup> respondent to make the necessary corrections in the revenue records.

2. The case of the petitioner is that subject property was originally classified as Natham land and it was owned by his father. At the time of conducting the UDR scheme, a patta was granted in favour of the father of the petitioner on 26.05.1992. According to the petitioner, there was a mistake in recording the measurement in the patta and the measurement shown in the patta did not tally with the actual physical occupation of the property as reflected in the title documents.

3. The petitioner was taking efforts to get the benefits under the housing scheme and when he had applied for the same, it was informed to the petitioner that there is a discrepancy between the measurement found in the patta and the original documents. This was the occasion when the petitioner actually came to know about this discrepancy.

4. The petitioner therefore made a representation to the respondents requesting for the rectification of the measurements found in the patta. The 2<sup>nd</sup> respondent directed the 3<sup>rd</sup> respondent to conduct an enquiry and to submit a report in order to enable the 2<sup>nd</sup> respondent to pass appropriate orders for the rectification of the revenue records. The grievance of the petitioner is that the 3<sup>rd</sup> respondent has already completed the enquiry but however the report is yet to be sent to the 2<sup>nd</sup> respondent and therefore left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the respondents submitted that the 3<sup>rd</sup> respondent has given the report to the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent has called the petitioner for an enquiry on 06.01.2021 at 3.00 p.m. The learned counsel submitted that the petitioner can be present before the 2<sup>nd</sup> respondent for enquiry along with all the relevant documents.

6. Taking into consideration the facts and the circumstances and also of the fact that the 2<sup>nd</sup> respondent has already called the petitioner for enquiry, there shall be a direction to the 2<sup>nd</sup> respondent to complete the enquiry and pass final orders strictly in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

सत्यमेव जयते

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,  
Tiruvannamalai District,  
Tiruvannamalai.
2. The Revenue Divisional Officer,  
Tiruvannamalai,  
Tiruvannamalai.

3. The Tahsildar,  
Kilpenathur Taluk,  
Tiruvannamalai District.

+1cc to Mr.M.S.Palaniswamy, Advocate, S.R.No.41368

W.P.No.18886 of 2020

EV(CO)  
RV(05/01/2021)



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