



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.1858 of 2020

P.Rengasamy

.. Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The District Revenue Officer,
Karur District, Karur.

3.The Sub Collector,
Kulithalai Taluk,
Karur District.

4.The Tahsildar,
Taluk Office,
Kulithalai Taluk,
Karur District.

5.K.Perumal

6.P.Perumal

7.P.Ponnsamy

8.K.Vadivel

9.S.Periyasamy

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 2nd respondent to cancel the patta No.1520, 1949, issued in the name of the respondents 5 to 9 for the survey numbers 300/1A, 301/1, situated at Kallai Village, Kulithalai Taluk, Karur District, during UDR scheme.

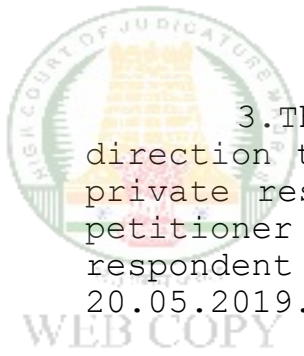
For Petitioner: Mr.R.Murugappan

For Respondents: Mr.A.Muthukaruppan for R1 to R4
Additional Government Pleader

ORDER

This writ petition is filed for issuing a writ of Mandamus to direct the 2nd respondent to cancel the patta Nos.1520, 1949, issued in the name of the respondents 5 to 9 for the survey numbers 300/1A, 301/1, situated at Kallai Village, Kulithalai Taluk, Karur District, during UDR scheme.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents 1 to 4. Notice to respondents 5 to 9 is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



3.The learned counsel for the petitioner though prayed for a direction to the second respondent to cancel the patta in favour of private respondents namely respondents 5 to 9, now stated that the petitioner will be satisfied if a direction is issued to the second respondent to consider the representation of the petitioner, dated 20.05.2019.

4.It is stated that the patta had been wrongly issued in favour of private respondents during UDR and that the names of respondents 5 to 9 or their predecessor's interest do not find place in the revenue records before UDR. Since the petitioner states that the mistake was committed during UDR, the second respondent is competent to consider the representation of the petitioner.

5.Having regard to the limited scope of the prayer, that is now sought by the petitioner, this Court is of the view that the writ petition can be disposed of, even without notice to the private respondents namely respondents 5 to 9. Accordingly, this Court is inclined to issue the following direction.

(i)The second respondent is directed to consider the petitioner's representation, dated 20.05.2019 and pass appropriate orders on merits and in accordance with law after issuing notice to the petitioner as well as to the respondents 5 to 9, within a period of twelve 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 (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

- 1.The District Collector,
Karur District, Karur.
- 2.The District Revenue Officer,
Karur District, Karur.
- 3.The Sub Collector,
Kulithalai Taluk,Karur District.
- 4.The Tahsildar,
Taluk Office,Kulithalai Taluk,Karur District.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-3902[F] dated 30/01/2020)

+1 CC to M/s.SPL.GP (SR-4310[F] dated 31/01/2020)

W.P. (MD) .No.1858 of 2020

30.01.2020

SMA/13/02/2020/2P/7C