



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)No.15581 of 2020

R.Ganesan

... Petitioner

-vs-

1.The District Revenue Officer,
Thanjavur District.

2.Chandrabose

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to dispose of the appeal dated 14.07.2014 filed by the second respondent for correction of alleged error in the UDR proceedings with regard to Survey No.212/3B situated in Periyamayagipuram Village, Peravoorani Panchayat Union, Peravoorani Taluk, Thanjavur District.

For Petitioner

: Mr.C.Padmaraj

For Respondent 1

: Mr.M.Pandiya Rajan

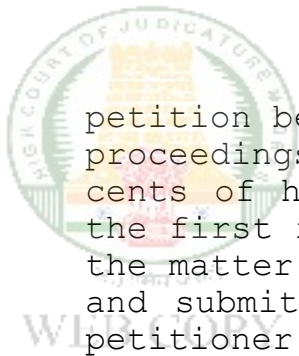
Additional Government Pleader

ORDER

This writ petition is filed, seeking issuance of Writ of Mandamus to direct the first respondent herein to dispose of the appeal dated 14.07.2014 filed by the second respondent for correction of alleged error in the UDR proceedings with regard to Survey No.212/3B situated in Periyamayagipuram Village, Peravoorani Panchayat Union, Peravoorani Taluk, Thanjavur District.

2.Heard the learned Counsel appearing for the petitioner and Mr.M.Pandiya Rajan, learned Additional Government Pleader, who took notice for the first respondent. Since this Court is not going to pass any adverse orders against the second respondent, notice to the second respondent is dispensed with.

3.The learned Counsel appearing for the petitioner would submit that the petitioner is having a property measuring to an extent of 19 Ares comprised in Survey No.212/3B situated in Periyamayagipuram Village, Peravoorani Panchayat Union, Peravoorani Taluk, Thanjavur District, which was acquired through a registered settlement deed dated 27.03.2014 executed by his mother Smt.Vellaiyammal, vide Doc.No.357 of 2014. After settlement, all the revenue records have been mutated in the name of the petitioner and patta was also issued vide Patta No.1541. While so, the second respondent has filed a



petition before the first respondent in 2014 stating that during UDR proceedings, a patta has been issued to him by wrongly reducing 3 cents of his land. Considering the case of the second respondent, the first respondent had directed the Tahsildar concerned to enquire the matter and submit a report. The Tahsildar had conducted enquiry and submitted the report. Thereafter, a summon was issued to the petitioner on 19.09.2019 to appear before the first respondent and the petitioner also appeared and submitted entire revenue records. Even thereafter, no order is passed in the appeal filed by the second respondent. Hence, the petitioner has come forward with this Writ Petition.

4.Considering the facts and circumstances of the case, this Court is of the view that no prejudice will be caused to the second respondent if the appeal is directed to be disposed of by the first respondent. Therefore, the first respondent is directed to dispose of the appeal filed by the second respondent in accordance with law within a period of 120 days from the date of receipt of a copy of this order, after affording opportunity to the petitioner and the second respondent and any others persons who are likely to be affected.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

The District Revenue Officer,
Thanjavur District.

+1 CC to M/s.C.PADMARAJ, Advocate (SR-21379[F] dated 06/11/2020)

+1 CC to M/s.GP (SR-21614[F] dated 09/11/2020)

W.P (MD) No.15581 of 2020

06.11.2020

PU (CO)

AP (26/11/2020) 2P 4C

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