



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.07.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.17874 of 2019

Gurusami

...Petitioner

Vs

1.The District Revenue Officer,
Collectorate Complex,
Virudhunagar, Virudhunagar District.

2.The Tahsildar,
Aruppukottai Taluk Office,
Aruppukottai, Virudhunagar District.

3.Vadivelu

4.Muthupandi

5.Karthik

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to rectify the mistake occurred during the UDR scheme in respect of the petitioner's family property bearing S.No.216/24 Patta No.345, situated at Sengulam Village, Aruppukkottai Taluk, Virudhunagar District.

For Petitioner : Mr.R.Murugappan

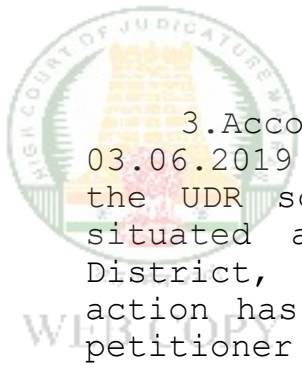
For R1 & R2 : Mr.R.Sethuraman

Special Government Pleader

ORDER

This writ petition is filed to direct the 1st respondent to rectify the mistake occurred at the time of conducting UDR scheme in respect of the property in S.No.216/24 Patta No.345 situated at Sengulam Village, Aruppukkottai Taluk, Virudhunagar District.

2.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.R.Sethuraman, learned Special Government Pleader appearing for the respondents 1 and 2.



3. According to the petitioner, he made a representation dated 03.06.2019 to the 1st respondent to rectify the mistake occurred in the UDR scheme, where, the property in S.No.216/24 Patta No.345 situated at Sengulam Village, Aruppukkottai Taluk, Virudhunagar District, has been classified as "Natham Land". But, so far, no action has been taken by the 1st respondent till date. Hence, the petitioner is before this Court for the relief stated supra.

4. The learned Special Government Pleader appearing for the respondents 1 and 2 has produced a copy of the proceedings dated 24.07.2020 before this Court, wherein, it had been stated that though the 1st respondent, by proceedings dated 12.06.2019, had directed the petitioner to produce all the relevant documents to establish his right over the aforesaid property, he has not produced any relevant documents.

5. Further, the learned Special Government Pleader appearing for the respondents 1 and 2, on instructions, would submit that the petitioner was asked to appear for enquiry on 30.07.2020 before the 2nd respondent.

6. By recording the aforesaid submission made by the learned Special Government Pleader, without expressing any opinion on the merits of the case, this Court is inclined to pass the following directions:-

i) The 2nd respondent is directed to conduct an enquiry and submit a report before the 1st respondent, after providing an opportunity of hearing to the parties concerned.

ii) On receipt of such report, the 1st respondent is directed to consider the representation of the petitioner dated 03.06.2019 and pass appropriate orders on merits and in accordance with law.

iii) The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

iv) The petitioner is also directed to co-operate for enquiry to be held on 30.07.2020.

7. This Writ Petition is disposed of, with the above directions. No costs.

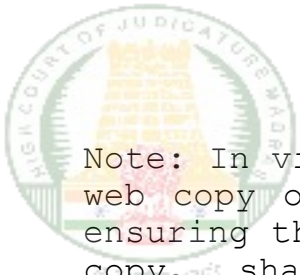
Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

1.The District Revenue Officer,
Collectorate Complex,
Virudhunagar,
Virudhunagar District.

2.The Tahsildar,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

W.P. (MD) No.17874 of 2019
24.07.2020

mm

SDS (04.08.2020) 3P-3C