BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.18514 of 2020

M.Mahalakshmi ... Petitioner

Vs.

The District Revenue Officer,
Virudhunagar District. ... Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent to pass an amended order after rectifying the mistake crept-in respect of Survey No.275/2, Melapattam Karisalkulam Village, Rajapalayam Taluk, Virudhunagar District by exclusively mentioning the petitioner's name alone in the tabular column as pattadhar of the said property in the order passed by the respondent vide his proceedings in ந/மு/ஆ.2/2466/2015, dated 13.10.2020 on the strength of the petitioner's representation dated 23.05.2019 as expeditiously as possible.

For Petitioner : Mr.R.Anand
For Respondent : Mr.K.P.Krishnadoss
Special Government Pleader

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondent to pass an amended order after rectifying the mistake crept-in respect of Survey No.275/2, Melapattam Karisalkulam Village, Rajapalayam Taluk, Virudhunagar District by exclusively mentioning the petitioner's name alone in the tabular column as pattadhar of the said property in the order passed by the respondent vide his proceedings in ந/மு/ஆ.2/2466/2015, dated 13.10.2020 on the strength of the petitioner's representation dated 23.05.2019 as expeditiously as possible.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.K.P.Krishnadoss, learned Special Government Pleader accepts notice on behalf of the respondent.

4. The case of the petitioner is that the petitioner's husband purchased the property in Survey Nos.275/1 and 275/2 situated in Melapattam Karisalkulam Village, Rajapalayam Taluk, Virudhunagar District through registered sale deed. In the meantime, at the time of UDR Scheme in both the survey numbers, mistakenly in Survey No.275/1, the name of the petitioner and her husband are reflected in the UDR entry instead of exhibiting the petitioner's name simpliciter and in so far as Survey No.275/2, the name of one Seenivasan, S/o.Ayyanar, who is a stranger to the said property reflects in the UDR entry. Therefore, the petitioner sent a representation to the respondent to rectify the mistake crept in the UDR entry and thereafter, by order dated 13.10.2017 the respondent passed final order directing the concerned authorities to take necessary action to rectify the mistake occurred in the UDR entry. Thereafter, the petitioner sent a detailed representation on 23.05.2019 to the respondent. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5. This Court is of the considered view that the issue has got to be decided by the Appellate Authority, namely, the District Revenue Officer/respondent herein. Hence, without going to the merits of the case, this Court directs the Appellate Authority, namely, the respondent to dispose of the representation of the petitioner, dated 23.05.2019, in accordance with law, within a period of 60 days from the date of receipt of a copy of this order. It is needless to mention that the persons, who are likely to be affected or the persons, who are interested must also be heard before passing orders.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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.

To

The District Revenue Officer,
Virudhunagar District.

+1cc to the SPL GP SR.No.26047.

W.P.(MD)No.18514 of 2020
16.12.2020

MK(CO)
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