



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD)No.995 of 2018

Aandi Ambalam

... Petitioner

Vs.

1.The District Revenue Officer,
Dindigul District,
Dindigul.

2.The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

3.Kaliappan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the first respondent to cancel the UDR patta on the name of 3rd respondent's grandfather namely Vadaperumal and issue patta in favour of the petitioner with regard to lands in Ayyalur Village S.No.399/B to an extent of 2 Acre and 46 cents situated Vedasandur Taluk and Dindigul District based on the petitioner's representation, dated 04.12.2017.

For Petitioner
For R1 and R2

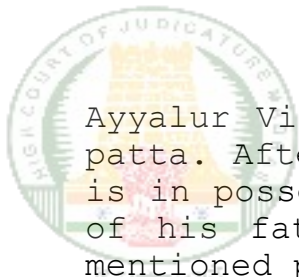
: Mr.G.Gomathi Sankar
: Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the first respondent to cancel the UDR patta on the name of third respondent's grandfather namely Vadaperumal and issue patta in favour of the petitioner with regard to the lands in Ayyalur Village S.No.399/B to an extent of 2 Acre and 46 cents, situated Vedasandur Taluk and Dindigul District, based on the petitioner's representation, dated 04.12.2017.

2.Heard Mr.G.Gomathisankar, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the first and the second respondents.

3.According to the petitioner, originally the land in S.No.399/B measuring an extent of 2 acre and 46 cents situated at



Ayyalur Village, belonged to his grandfather, by way of settlement patta. After the demise of his grandfather, the petitioner's father is in possession and enjoyment of the said land and after the death of his father, the petitioner is in possession of the petition mentioned property. The patta and the Revenue Adangal stands in the name of the petitioner's grandfather namely Sankan Ambalam. After the UDR scheme, patta has been granted to the petitioner's land in the name of the third respondent's grandfather by mistake. Taking advantage of the said UDR mistake, the third respondent restricted the petitioner to enter into his land. In this regard, the petitioner made a representation, dated 04.12.2017 to cancel the patta granted in the name of the third respondent's grandfather viz., Vadaperuamal and to issue patta in his favour. Since no order has been passed on the said representation, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the first and second respondents would submit that the aforesaid UDR patta was granted to the third respondent's grandfather in the year 1986-87. Whereas the petitioner has approached the authority concerned only in the year 2017. He further submitted that while disposing the petitioner's representation, the District Revenue Officer will take note of this aspect also.

5.In view of the aforesaid submission made by the learned Government Advocate appearing for the first and second respondents, this Court directs the first respondent to consider the petitioner's representation dated 04.12.2017 and also considering the limitation period for entertaining the application and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity to both the parties.

6.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd/Ns

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

<https://hccservicescourts.gov.in/hccservices>



order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Revenue Officer,
Dindigul District,
Dindigul.

2.The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

+1 CC to SPL GP (SR-13904[F] dated 12/08/2020)

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VB (21.08.2020) 3P 4C