

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM:

THE HON'BLE MR.JUSTICE N.SESHASAYEE

WP.No.742 of 2021

Arumugam

...Petitioner

-Vs-

1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2.The Tahsildar,
Oothangarai Taluk,
Krishnagiri District.

3.Kozhanthai Gounder ...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to consider the petitioner's representation dated 22.01.2020 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.S.N.Parthasarathi,
Govt.Advocate for RR1 & 2

ORDER

The present petition is filed by the petitioner seeking for a direction to the first respondent herein to consider the petitioner's representation dated 22.01.2020 in accordance with law, within the time stipulated by this Court.

2.The case of the petitioner is that the petitioner owns certain property in S.No.72/5D of Periyakottakulam Village, Oothangari Taluk, Krishnagiri District. His father had purchased the property vide Sale Deed no.1792/1972. The allegation is that during UDR scheme, the Tahsildar concerned had included the name of certain Kuzhanthai Gounder. The petitioner vide his representation dated 22.01.2020 seeks the rectification of the same.

3.When the matter was taken up for hearing on 19.01.2021, Mr.S.N.Parthasarathi, learned Government Advocate entered appearance on behalf of the respondents and made a submission that an enquiry was scheduled to take place on 12.03.2020 but,

the said Kuzhanthai Gounder had not turned up. Hence, another enquiry is fixed at 3.00 p.m. on 22.01.2021 at the office of the second respondent.

4.On 19.01.2021, this Court wanted to ascertain if Kuzhanthai Gounder's name ever figured in Village Permanent Register(A Register) at any time before the UDR.

5.Mr.S.N.Parthasarathi, learned Government Advocate has produced a Photocopy of the property in S.No.72/5D. It shows sub-divisions as S.No.72/12, 72/97 and it does not show any further sub-division in S.No.72/5. The learned Government Advocate added that insofar as S.No.72/5 is concerned, it is registered in the name of certain Kuzhanthai Gounder. The total extent he owned is 1.60 Acres out of this, the petitioner's father had purchased only 1.34 Acres. The balance extent is with Kuzhanthai Gounder. In other words, the learned Government Advocate submitted that the petitioner's right under the said Deed is no way disturbed and that he holds patta for 1.34 Acres out of 1.60 Acres and Kuzhanthai Gounder is a joint pattadar only for the balance area.

6.The said statement of the learned Government Advocate is recorded.

7. In view of the order has already passed on 19.01.2021, and the enquiry was scheduled to take place today, no further direction is required in this Writ Petition and hence, the same is closed. No costs.

Sd/-
Assistant Registrar (CS.VI)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Krishnagiri District, Krishnagiri.

2.The Tahsildar, Oothangarai Taluk,
Krishnagiri District.

+1cc to Mr.K.Govi Ganesan, Advocate SR.NO.3852
+1cc to The Government Pleader SR.NO.4034

AKM/22.02.21/2P- 4C/

W.P.No.742 of 2021
22.01.2021