

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10472 of 2021

K.Athilakshmipathi

... Petitioner

-Vs-

1 The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2 The Tahsildar,
Taluk Office,
Soolagiri Taluk,
Krishnagiri District.

3 Ramachandran,
S/o. Munusamy,
Kamanthotti Village,
Soolagiri Taluk,
Krishnagiri District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent herein to consider and pass order on the petitioner's representation dated 15.3.2018 sent for rectifying the error occurred in the Patta during UDR Scheme in accordance with law and within a stipulated period.

For Petitioner : Mr.T.Vedi

For Respondent : Mr.T.M.Pappiah
Special Government Pleader
- for R1
Mr.M.Mani Gopi
Government Advocate
- for R2

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the respondents 1 and 2 to consider and pass orders on the petitioner's representation dated 15.03.2018 for rectifying the error occurred in the patta during UDR scheme in accordance with law within the stipulated period.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. The grievance of the petitioner is that he is the owner of the property in S.F.No.212/1A situated at Kamanthotti Village, Soolagiri Taluk, Krishnagiri District. Subsequently, he has applied for patta and while issuing patta during the UDR scheme, it was erroneously issued in the name of 3rd respondent. Hence, the petitioner has made a representation seeking to rectify the mistake. In pursuant to the same, the 1st respondent has also directed the 2nd respondent Tahsildar to conduct a preliminary enquiry and file a report. Thereafter, the enquiry was conducted on 26.10.2018, wherein the petitioner has appeared and produced all the materials and thereafter, no order has been passed. Hence, the present Writ Petition has been filed by the petitioner.

4. The learned Special Government Pleader appearing for respondent submitted that when the preliminary enquiry has been conducted by the 2nd respondent Tahsildar, the 3rd respondent has not appeared. Hence, the matter was adjourned to 06.05.2021 for further enquiry.

5. Recording his submissions, the respondents 1 and 2 are directed to complete the enquiry and pass suitable orders on merits in accordance with law after giving opportunity to the petitioner as well as 3rd respondent within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rpp

To

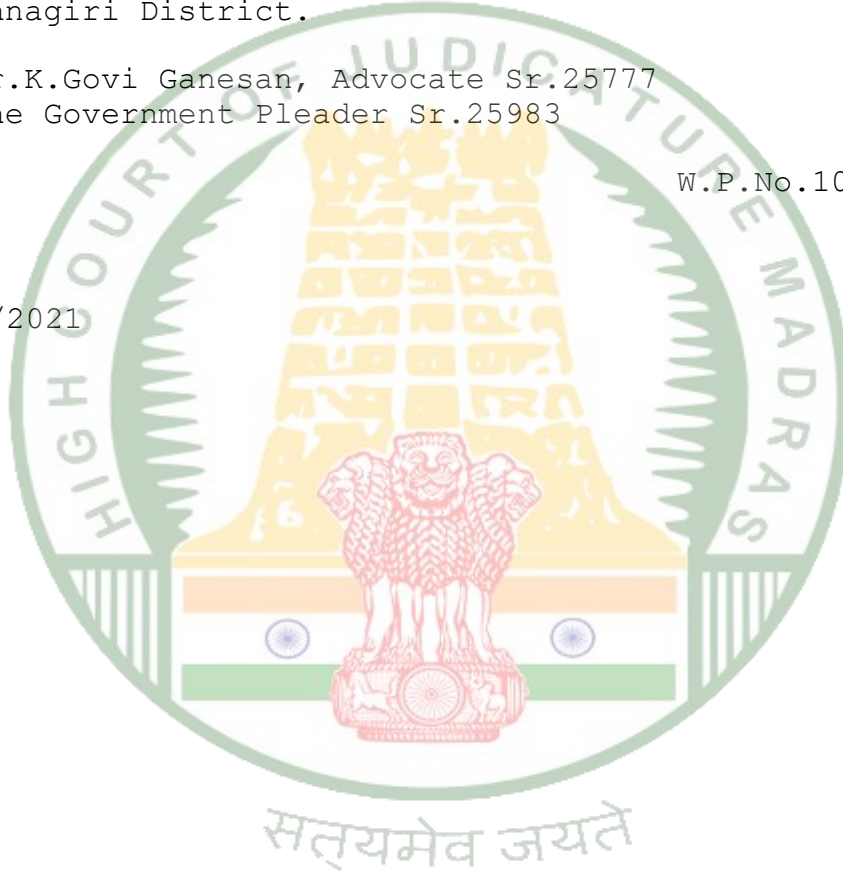
1 The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2 The Tahsildar,
Taluk Office,
Soolagiri Taluk,
Krishnagiri District.

+1cc to Mr.K.Govi Ganesan, Advocate Sr.25777
+1cc to the Government Pleader Sr.25983

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srg 09/07/2021



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