



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.18568 of 2021

Thirumalaisamy

...Petitioner

Vs.

1.The District Collector,
Tiruppur.

2.The Tahsildar,
Udumalpet,
Tiruppur District.

3.The Assistant Director,
Department of Survey and Land Records,
Collectorate,
Tiruppur.

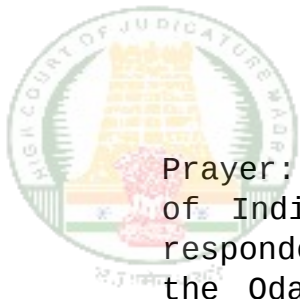
4.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Thirumurthy Hills Division,
Tiruppur District.

5.R.Vengidusamy

6.The District Revenue Officer,
Tiruppur District,
Tiruppur.

(R6 impleaded vide order dated 04.10.2021
made in W.M.P.No.21387/2021 in W.P.No.18568 of 2021
by MKKSJ and VSGJ)

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 to 4 to modify the UDR measurement of the width of the Odai in S.F.No.878/B, Dhali Village, Tiruppur District as 52.5 meters as per the old revenue sketch by deleting the wrong entry of the measurement as 12 meters and consequently to remove encroachment and restore the entire sketch of the said Odai comprised in S.F.Nos.903, 937, 878/B, 940 and 964, Dhali Village, Tiruppur District and its sub streams to its original width as per the old revenue sketch by following the due process of law by considering the petitioner's representation dated 14.07.2021 within a time frame fixed by this Court.

For petitioners : Mr.D.R.Arun Kumar

For respondent : Mr.T.N.C.Kaushik

Govt. Advocate for R1to R4

Mr.G.Vinoth

for Mr.N.Umapathi for R5

ORDER

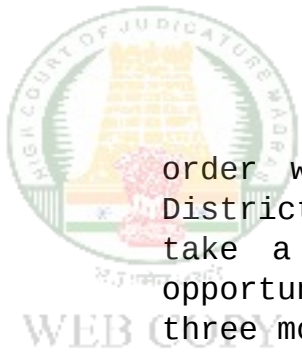
(Order of the Court was made by K.KALYANASUNDARAM, J)

The petitioner has come up this writ petition seeking modification of the UDR measurement in S.F.No.878/B, Dhali Village, Tiruppur District as 52.5 meters.

2. Mr.D.R.Arunkumar, learned counsel appearing for the petitioner would state that the actual width of the "Odai" was 52.4 meters, but it was wrongly entered in the "UDR". In this regard, the petitioner submitted a representation to the authority but it was not considered.

3. Mr.T.N.C.Kaushik, learned Government Advocate appearing for the respondents would state that the District Revenue Officer is the Competent Authority and he is ready to consider the grievance of the petitioner. It is further stated that the petitioner has not submitted any representation to the District Revenue Officer so far.

4. Considering the prayer sought for in the writ petition and the submissions of the learned counsel, the petitioner is hereby directed to give a representation to the District Revenue Officer, Tiruppur, by enclosing a copy of this



order within a period of two weeks. On such receipt, the District Revenue Officer, is directed to conduct an enquiry and take a decision in accordance with law, after giving ample opportunity to all the necessary parties within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Tiruppur.

2.The Tahsildar,
Udumalpet,
Tiruppur District.

3.The Assistant Director,
Department of Survey and Land Records,
Collectorate,
Tiruppur.

4.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Thirumurthy Hills Division,
Tiruppur District.

5.The District Revenue Officer,
Tiruppur District, Tiruppur.

+1CC to M/s.D.R.Arun Kumar, Advocate, SR.No. 51481

+1CC to M/s.N.Umapathi, Advocate, SR.No. 52184

+1CC to The Government Pleader, SR.No. 52438

W.P.No.18568 of 2021

SPD(CO)

B.VC (08/11/2021)