



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.22729 of 2021

A.Dharman

... Petitioner

Vs.

1. The District Collector,
Salem District, Salem.
2. The District Revenue Officer,
Salem District, Salem.
3. The Revenue Divisional Officer,
Mettur Taluk, Salem District.
4. The Tahsildar,
Mettur Taluk, Salem District.
5. The Zonal Deputy Tahsildar-II,
Mettur Taluk, Salem District.

- 6.Backiyam
- 7.Senthilkumar
- 8.Kalaiarasan
- 9.Pasupathy

....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 5 authorities to include the name of the petitioner with respect to the property admeasuring 6 Acres and 20 Cents comprised in R.S.No.139/2, situated at Thethigiripatti Village, Mettur Taluk, Salem District after cancelling the sub-divisions in accordance with the order dated 28.03.1996 in Proceedings DR.No.54/95-96-6(2) on the file of 5th respondent by considering the representation of the petitioner dated 28.09.2021.



WEB COPY

For Petitioner : Mr.R. Rajarajan
For RR1 to 5 : Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 authorities to include the name of the petitioner with respect to the property admeasuring 6 Acres and 20 Cents comprised in R.S.No.139/2, situated at Thethigiripatti Village, Mettur Taluk, Salem District after cancelling the sub-divisions in accordance with the order dated 28.03.1996 in Proceedings DR.No.54/95-96-6(2) on the file of 5th respondent by considering the representation of the petitioner dated 28.09.2021.

2. The property is the ancestral property of one Andi Gounder @ Andiyappa Gounder, ad-measuring 6 acres and 20 cents comprised in R.S.No.139/2, situated at Thethigiripatti Village, Mettur Taluk, Salem District. He has two wives. After his demise, the aforesaid property partitioned among the legalheirs of the deceased vide Doc.No.1439/1970, dated 04.07.1970 on the file of Sub Registrar Office, Mecheri, they are jointly in peaceful possession and enjoyment of the same. Be that as it may, due to oversight and inadvertence, at the time of UDR scheme in 1983, the name of the petitioner was left out in the UDR Patta and the name of one A.Rathinam was found place in the UDR Patta. Therefore, the petitioner sent a representation to the respondents 1 to 5, dated 28.09.2021 requesting them to include his name in the UDR Patta, but, the respondents 1 to 5 have not taken any steps in this regard. Therefore, he has come forward with the present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents 1 to 5 to consider the petitioner's representation dated 28.09.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the



present writ petition, the Writ Petition is disposed of, with a direction to the respondents 1 to 5 to consider the petitioner's representation dated 28.09.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and necessary parties within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

gba/msm
To

1. The District Collector,
Salem District, Salem.
2. The District Revenue Officer,
Salem District, Salem.
3. The Revenue Divisional Officer,
Mettur Taluk, Salem District.
4. The Tahsildar,
Mettur Taluk, Salem District.
5. The Zonal Deputy Tahsildar-II,
Mettur Taluk, Salem District.

+1cc to Mr.R.Rajarajan, Advocate Sr.54492
+1cc to the Government Pleader Sr.55367

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ajs[col]
srg 03/12/2021