

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.4066 of 2021
(Through Video Conference)

R.Selvarani

...Petitioner

Vs.

1. The District Collector,
O/o the District Collector,
Tiruchirappalli District.
2. The District Revenue Officer,
O/o the District Revenue Officer,
Tiruchirappalli District,
Tiruchirappalli.
3. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Musiri,
Tiruchirappalli District.
4. The Tahsildar,
O/o the Tahsildar,
Thuraiyur,
Tiruchirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to take the appeal dated 04.12.2020 filed by the petitioner and pass appropriate order in accordance with law and consequential direction to issue revised patta in respect of Survey Nos.390/10 and include the pathway to the extent of 5 meters width and 19 meters length in Survey nos.390/11 390/12 and 390/13

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.K.P.Narayanakumar,
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the second and third respondents to decide the

representation made by the petitioner on 04.12.2020, wherein the petitioner has sought for issuance of a revised Patta, with respect to the subject property by including the pathway.

2. The grievance of the petitioner is that during the time when the U.D.R. scheme was undertaken, a Patta was wrongly issued in favour of one Malayalan. According to the petitioner, a revised Patta must be issued with respect to the subject property, by including the pathway. An appeal was submitted in this regard, before the second respondent on 04.12.2020. Since the same was not considered, the present writ petition is filed before this Court seeking for appropriate directions.

3. Heard Mr.D.Shanmugaraja Sethupathi, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the appeal submitted by the petitioner on 04.12.2020 and deal with the same on its own merits and in accordance with law, after affording opportunity to the petitioner and to any other interested party and final orders shall be passed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. The petitioner shall make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

To:

1. The District Collector,
O/o the District Collector,
Tiruchirappalli District.
2. The District Revenue Officer,
O/o the District Revenue Officer,
Tiruchirappalli District, Tiruchirappalli.
3. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Musiri, Tiruchirappalli District.
4. The Tahsildar,
O/o the Tahsildar,
Thuraiyur, Tiruchirappalli District.

+1 CC to M/s.SPL GP (SR-16304[F] dated 17/04/2021)

+1 CC to M/s.D.SHANMUGARAAJA SETHUPATHI, Advocate (SR-16208[F]
dated 17/04/2021)

Order made in
W.P. (MD) No.4066 of 2021

MA(07.05.2021) 3P 7C