



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2021

CORAM :

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P. (MD) .No.11075 of 2021**

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Durairaj

... Petitioner

Vs.

- 1.The District Revenue Officer,
O/o. The District Revenue Officer,
Collectorate Complex,
Sattur Main Road,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Aruppukottai Taluk,
Aruppukottai,
Virudhunagar District.
- 3.The Tahsildar,
Aruppukottai,
Virudhunagar District.
- 4.The Village Administrative Officer,
Kalloorani, Aruppukottai Taluk,
Virudhunagar District.
- 5.M/s. Kalloorani Shathiriya Nadargal Uravinmurai,
Kalloorani - 626 105,
Aruppukottai Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to issue Joint patta in favour of the petitioner by sub-dividing and reclassifying the lands of property comprising in the Survey No.125/1C5A consisting of 4 cents of vacant land which was wrongly included in the 5th respondent's land as well as the property of land comprising in the Survey No.466/6 consisting of 293 square meter which was wrongly included in the lands of Government Natham Poramboke, situated at Kalloorani Village, Aruppukottai Taluk, Virudhunagar District, on the basis of petitioner's representation



sent to the 2nd and 3rd respondents as well as 1st and 4th respondents, dated 01.05.2021 and 04.05.2021 respectively, within a time frame as may be stipulated by this Court.

For Petitioner

: Mr.L.Prabhu

For R-1 to R-4

: Mr.M.Lingadurai

Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to issue joint patta in favour of the petitioner with respect to the subject property.

2. The case of the petitioner is that the subject property was originally owned by his father and on his demise, it devolved upon the petitioner and other family members. The further case of the petitioner is that he filed an earlier writ petition in W.P. (MD).No.6569 of 2020 and sought for a Mandamus to direct the respondent, namely, the Tahsildar, to issue joint patta in favour of the petitioner.

3. It is stated that the Tahsildar in the course of enquiry found that an error had crept in at the time of UDR Scheme and therefore, the petitioner has to necessarily make a representation only before the concerned authority seeking for re-classification, subdivision of land and for issuance of patta. Accordingly, the petitioner made a representation to the first and second respondents on 04.05.2021 seeking for re-classification of the property and for subdivision of the property and for issuance of patta. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.L.Prabhu, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 to 4.

5. 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 first respondent to consider the representation made by the petitioner on 04.05.2021 after affording opportunity to the petitioner and the fifth respondent and all other interested persons and deal with the same on its own merits and in accordance with law and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.



7. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

tsg

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 Revenue Officer,
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Virudhunagar District.
- 4.The Village Administrative Officer,
Kalloorani, Aruppukottai Taluk,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-21536[F] dated 07/07/2021)

+1 CC to M/s.L.PRABHU, Advocate (SR-21765[F] dated 08/07/2021)

W.P. (MD) .No.11075 of 2021

Dated:06.07.2021

RK(13.07.2021) 3P 7C