



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.11423 of 2021  
and W.M.P.[MD].No.8928 of 2021

Udhayakumar

... Petitioner

Vs.

1.The District Collector,  
Virudhunagar District.

2.The District Revenue Officer,  
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,  
Aruppukottai, Virudhunagar District.

4.The Tahsildar,  
Thiruchuli Taluk,  
Virudhunagar District.

5.The Revenue Inspector,  
Thiruchuli Taluk,  
Virudhunagar District.

6.The Village Administrative Officer,  
Narikudi Village Panchayat,  
Velaneri Village,  
Thiruchuli Taluk,  
Virudhunagar District.

7.Muthukrishnan,  
Working as Tahsildar,  
Thiruchuli Taluk,  
Virudhunagar District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice dated 30.06.2021 issued by the fourth respondent and the consequent impugned order in Na.Moo.Mu.A1/5159/2021 dated 01.07.2021 passed by the fourth respondent and quash the same and consequently direct the second respondent to correct the UDR corrections and to issue Patta to the petitioner in respect of the property in Survey No.137/1, Velaneri Village, Tiruchuli Taluk, Viruthunagar District.



For Petitioner : Mr.K.Navaneetha Raja  
For Respondents : Mr.R.Baskaran  
No.1 to 6 : Standing Counsel for Govt.

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**O R D E R**

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[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.K.Navaneetha Raja, learned Counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents.

3.The petitioner has filed this writ petition, challenging the proceedings of the fourth respondent dated 30.06.2021 and the consequential order dated 01.07.2021, passed by the fourth respondent under the provisions of the Tamil Nadu Land Encroachments Act, 1905 ['the Act' for brevity].

4.We find that both the orders ie., the notice under Section 7 of the Act as well as the order under Section 6 of the Act have been passed on the succeeding dates.

5.The petitioner would state that there is a mistake which has occurred during the updating of the revenue records and the correct survey number is 129/4, whereas, during the UDR it has been wrongly mentioned as 137/1 and it is stated that the land is classified as 'Nathamum Kalamum'. In this regard, the petitioner has already filed a petition before the District Collector on 01.07.2021, which has been sent by speed post and shown to have been delivered in the office of the District Collector as per the tracking information by the postal department.

6.Since the petitioner states that there is a mistake which occurred in the UDR, no useful purpose will be served remanding the matter to the fourth respondent and the petitioner has rightly approached the District Collector by way of a representation. Accordingly, the District Collector is directed to consider the representation of the petitioner, direct an enquiry to be conducted and pass appropriate orders on merits and in accordance with law as expeditiously as possible preferably within a period of eight [8] weeks from the date of receipt of a copy of this order. Till then, the status quo which is prevailing in the property in question as on date ie., 09.07.2021, shall be maintained. It is needless to state that during the enquiry, the petitioner is at liberty to submit all documents in his possession to establish that there is a mistake



committed during the UDR.

7. Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

**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, Virudhunagar District.
- 2.The District Revenue Officer,  
Virudhunagar District, Virudhunagar.
- 3.The Revenue Divisional Officer,  
Aruppukottai, Virudhunagar District.
- 4.The Tahsildar,  
Thiruchuli Taluk, Virudhunagar District.
- 5.The Revenue Inspector,  
Thiruchuli Taluk, Virudhunagar District.
- 6.The Village Administrative Officer,  
Narikudi Village Panchayat,  
Velaneri Village, Thiruchuli Taluk,  
Virudhunagar District.

**ORDER MADE IN**  
**W.P. [MD]No.11423 of 2021**  
**09.07.2021**

SSS(CO)

TR(22.07.2021) 3P 7C