



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11242 of 2021

S.Jaya Ranganathan

... Petitioner

Vs.

1. The District Revenue Officer, Thoothukudi.

2. The President,

Eral Panchayat, Eral, Thoothukudi.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to rectify the error crept in the revenue record during UDR in the property comprised in S.Nos.158/1A and 158/1B, situated at Vaalavallan Village, Thoothukudi District, by considering the petitioner's application, dated 24.02.2020.

For Petitioner

: Mr.G.Prabhu Rajadurai

For Respondents

: Mr.M.Lingadurai,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first respondent to act upon the application submitted by the petitioner on 24.02.2020, wherein, the petitioner has sought for the rectification of the error that has crept in the revenue records with respect to the subject property.

2. The case of the petitioner is that the subject property was sold to the petitioner and his brothers through three registered sale deeds all dated 18.05.1978. The further case of the petitioner is that during the UDR Scheme that was undertaken in the year 1983, the property was subdivided into three portions and the names of the petitioner and his brothers were entered as Pattadhars. However, insofar as two of the subdivisions are concerned, namely, Survey Nos.158/1A and 158/1B, the name of the second respondent was also entered.

3. It is stated that the petitioner made an application to the Tahsildar in the year 1992 seeking for rectification of the mistake in entering the name of the second respondent. According to the petitioner, the Tahsildar also cancelled the entry, by order dated 16.02.1993 and this correction was also carried out in the manual records.



4. The grievance of the petitioner is that this correction was not carried out in the digital record and as a result of the same, the name of the second respondent continued to be reflected insofar as a portion of the property in Survey Nos.158/1A and 158/1B.

5. The petitioner has therefore made an application to the first respondent on 24.02.2020, requesting for rectification of the error that has crept in the revenue records and to remove the name of the second respondent from Survey Nos.158/1A and 158/1B. Since the application was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

6. Heard Mr.G.Prabhu Rajadurai, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government counsel appearing on behalf of the respondents.

7. 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 application submitted by the petitioner on 24.02.2020 after affording opportunity to the petitioner and the second respondent 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.

8. 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.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /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, Thoothukudi.

2. The President,
Eral Panchayat, Eral, Thoothukudi.

WEB COPY

+1 CC to M/s.G.PRABHU RAJA DURAI, Advocate (SR-21635[F] dated 08/07/2021)

+1 CC to M/s.SPL GP (SR-21724[F] dated 08/07/2021)

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MGJ(14.07.2021) 3P 5C