



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.18421 of 2021

and

W.M.P. (MD) No.15209 of 2021

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A.Yogarajan

... Petitioner

vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Revenue Officer,
Dindigul District, Dindigul.

3.The Revenue Divisional Officer,
Dindigul, Dindigul District.

4.The Tahsildar,
Dindigul East Taluk,
Dindigul District.

5.The Block Development Officer,
Sanarpatti, Dindigul District.

6.The President,
Rajakkapatti Village Panchayat,
Dindigul East Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 4 herein to cancel the UDR Subdivision and restore the old Survey No.367/1 to an extent of 0.05.00 ares situated at, Rajakkapatti Village, Dindigul East Taluk, Dindigul District and issue the patta in petitioner's favour and his brother's favour based on the petitioner's representation dated 09.09.2019.

For Petitioner : Mr.G.Gomathisankar

For R1 to R4 : Mr.J.John Rajadurai
Government Advocate

For R5 and R6 : Mr.A.Baskaran
Standing Counsel

O R D E R

The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction to the respondents 2 to 4 to cancel



the UDR subdivision and restore the old S.No.367/1, measuring 0.05.00 ares in Rajakkapatti Village, Dindigul East Taluk in Dindigul District and to grant patta to the petitioner and his brother, based on the representation given by the petitioner on 09.09.2019.

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2.It is stated by the petitioner that the land in S.No.367/1 aforementioned originally was ancestral property of his grandmother Rengammal, who was in possession and was enjoying the same for more than 17 years. She was also paying kist to the panchayat. After her death, the property was inherited by his mother, Angammal. She was the only legal heir. Thereafter, the petitioner and his brother had acquired the said land by devolution of title. Two registered settlement deeds have also been executed in favour of the petitioner and in favour of his brother. These are documents which have to be now examined by the second respondent/District Revenue Officer.

3.I am informed that an application of the petitioner is now pending before the second respondent/District Revenue Officer with respect to seeking cancellation of UDR scheme and to restore the old S.No.367/1. Pending such exercise undertaken by the second respondent, the respondents 5 and 6/Block Development Officer and the President appear to have made necessary enquiries with the petitioner necessitating filing of the writ petition.

4.Let me not enter into a discussion on the merits of the case, but give a direction to the second respondent to complete the proceedings pending before the second respondent within a period of twenty weeks after following due procedure. During the pendency of such proceedings, the petitioner must participate and if required the respondents 5 and 6 may also participate in the said proceedings and let the respondents 5 and 6, not during the course of the proceedings, interfere with any peaceful possession, but depending on the order of the second respondent take appropriate steps in accordance with law.

5.Observed as above, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

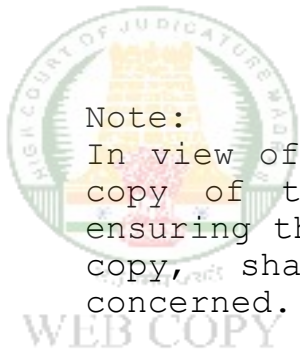
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/ /2021

Sub Assistant Registrar(CS)

sj i

<https://hcservices.ecourts.gov.in/hcservices/>



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,
Dindigul District, Dindigul.
- 2.The District Revenue Officer,
Dindigul District, Dindigul.
- 3.The Revenue Divisional Officer,
Dindigul, Dindigul District.
- 4.The Tahsildar,
Dindigul East Taluk,
Dindigul District.
- 5.The Block Development Officer,
Sanarpatti, Dindigul District.

+1 CC to M/s.G.GOMATHISANKAR, Advocate (SR-37515[F] dated 06/12/2021)

+1 CC to M/s.A.BASKARAN, Advocate (SR-37683[F] dated 07/12/2021)

+1 CC to M/s.SPL GP (SR-37753[F] dated 08/12/2021)

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RD(20.12.2021) 3P 9C