



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5754 OF 2022

M.Baby

... Petitioner

.Vs.

1. The District Collector,
Office of the Collectorate,
Coimbatore District.
2. The District Revenue Officer,
DRO Office,
Coimbatore Taluk & District.
3. The Special Tahsildar,
Office of the Tahsildar,
Coimbatore Taluk & District.
4. The Tahsildar,
Tahsildar Office,
Perur,
Coimbatore District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to dispose the petitioner's representation dated 15.11.2021 within the time stipulated by this Hon'ble court.

For Petitioner : Mr.S.Sithiraj Anandam

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 2nd respondent to dispose the petitioner's representation dated 15.11.2021 within the time stipulated by this Court.



2. The case of the petitioner is that the property in S.Nos.765/1 and 766/1 situated at Vadavalli Village, Coimbatore of an extent of 4 acres 98 cents belongs to one Maranna Gounder/husband of the petitioner. Thereafter, the said Maranna Gounder sold the subject property of an extent of 2 acres and 1 acre 98 cents to one Rukmani Ammal and one Nanjammal vide sale deed in the year 1979 and 1987 respectively. While so, the remaining 1 acre 98 cents was in possession and enjoyment of the said Maranna Gounder and after his demise the said property was inherited to the petitioner and his legal heirs. Thereafter, when the said property was surveyed by the Revenue authorities, the petitioner was surprised to see that the said land in S.No.765/1B2 measured an extent of 1 acre 63 cents instead of 1 acre 98 cents. While so, the petitioner made representation to the 2nd respondent on 15.11.2021 to rectify the defect in the UDR Scheme and to issue new Patta in favour of petitioner and other legal heirs of Maranna Gounder. Since no action has been taken by the 2nd respondent, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 15.11.2021 and pass orders on merits within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 15.11.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner and aggrieved persons if any within a period of twelve weeks from the date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



rap/sk

To

1. The District Collector,
Office of the Collectorate,
Coimbatore District.
2. The District Revenue Officer,
DRO Office,
Coimbatore Taluk & District.
3. The Special Tahsildar,
Office of the Tahsildar,
Coimbatore Taluk & District.
4. The Tahsildar,
Tahsildar Office,
Perur,
Coimbatore District.

+lcc to Mr.S.Sithiraj Anandam, Advocate, S.R.No.17310
+lcc to the Government Pleader, S.R.No.17747

W.P.NO.5754 OF 2022

GPL(CO)
PBS/06/04/2022