



WEB COPY



W.P.No. 28131 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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Narayanamma

..Petitioner

Versus

1. The District Revenue Officer
Krishnagiri District.
Krishnagiri.

2. Nagappa
3. Peerappa

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent herein to consider the petitioner's representation dated 27.06.2022 sent for rectifying the error crept during UDR Scheme in respect of the petitioner's land in S.F.No.325/1 situated at Sembarasampalli Village, Soolagiri Taluk, Krishnagiri District in accordance with law and within the stipulated period.

For Petitioner : Mr.K. Govi Ganesan



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For R1

: Mr.U.Bharanidharan
Additional Government Pleader

ORDER

This writ petition is filed seeking for a direction to the 1st respondent/District Revenue Officer to dispose of the petitioner's representation, dated 27.06.2022 for rectifying the error crept during UDR Scheme in respect of the petitioner's land in S.F.No.325/1 situated at Sembarasampalli Village, Soolagiri Taluk, Krishnagiri District, in accordance with law.

2. The case of the petitioner is that the aforesaid properties measuring an extent of 2.02 acres and 3.74 acres in S.F.Nos.324/3 and 325/1 situated at Sembarasampalli Village, Soolagiri Taluk, Krishnagiri District, ad-measuring 5.76 acres belongs to the petitioner's father Nagappa, who had purchased the same by way of registered sale deed, dated 24.04.1972 in Doc.No.1232/1972 on the file of Sub Registrar Office, Soolagiri from one Venkatesa Shetty. From the date of purchase, he was in possession and enjoyment of the same. While he was alive, he had executed a registered WILL, dated 19.07.1996 bequeathed the above said



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properties in her favour. Further, in the said WILL, he had categorically stated that the properties were adequately given to her sisters, namely, Anjamma, Gangamma and Sivamma as his legal heirs. After the demise of the petitioner's father, they are in absolute possession and enjoyment of the same. While so, during UDR Scheme, the said properties were erroneously sub-divided as S.F.Nos.325/1A and 325/1B and Patta for S.F.No.325/1A was issued in the name of the 2nd respondent herein and Patta for S.F.No.325/1B was issued in the name of the 3rd respondent herein. In this regard, the petitioner made a representation dated 27.06.2022 to the 1st respondent requesting to rectify the aforesaid mistake in the UDR Patta, but the respondent has not considered the same till date. Hence, the petitioner has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent to consider the petitioner's representation dated 27.06.2022 and dispose of



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the same within a stipulated time that may be fixed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation, the Writ Petition is disposed of, with a direction to the 1st respondent/District Revenue Officer to consider the petitioner's representation, dated 27.06.2022 in the light of the relevant Government Orders and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

20.10.2022

Index:Yes / No
Speaking / Non-Speaking order
msm

M. DHANDAPANI, J.

msm



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