



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.10979 of 2011

and

M.P. (MD)No.1 of 2011

WEB COPY

Ayyar Thevar

... Petitioner

versus

1. The District Revenue Officer,
Special Officer,
(Temple Lands),
Madurai.

2. The Executive Officer,
A/M Valakkamal Temple,
Elumalai Village,
Peraiyur Taluk,
Madurai District.

3. The Tahsildar,
Peraiyur Taluk,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of certiorari, to call for the records of the first respondent dated 30.12.2010 in proceeding Na.Ka.No.A/191/2010 and to quash the same.

For Petitioner	:	Mr.R.G.Shankar Ganesh
For R1 and R3	:	Mr.D.Gandhiraj, Special Government Pleader
For R2	:	Mr.S.Manohar

ORDER

This writ petition is filed as against the order passed by the first respondent/the District Revenue Officer, Madurai in Na.Ka.No.A/191/2010, dated 30.12.2010, on the appeal filed by the second respondent as against the UDR entry made in favour of the petitioner.

2. The first respondent/the District Revenue Officer, Madurai, who is the competent authority to rectify any mistake committed in the UDR entry, holding that the land originally belongs to Arulmigu Valakkamal Temple, Elumalai Village, Peraiyur Taluk, the second respondent herein, however, the UDR entry has wrongly been made in the name of the petitioner, passed an order to delete the name of the petitioner and issue patta in the name of the second respondent. Aggrieved over the same, the present writ petition is filed.



3. The learned counsel for the petitioner submits that the impugned order has been passed after 29 years without providing an opportunity of hearing to the petitioner.

4. The learned counsel for the second respondent submits that UDR entry has wrongly been made during UDR survey and the first respondent/the District Revenue Officer is the competent authority to rectify any mistake committed in the UDR entry. Therefore, appeal was preferred before the first respondent/the District Revenue Officer along with the relevant documents. After verifying the documents/records, the first respondent/the District Revenue Officer passed the impugned order, after giving sufficient opportunity to the petitioner. Therefore, the impugned order does not warrant any interference.

5. This Court considered the rival submissions made and also perused the materials placed on record.

6. It appears that after affording due opportunity to the petitioner, the first respondent/the District Revenue Officer has passed the impugned order to delete the name of the petitioner and issue patta in the name of the second respondent.

7. If the petitioner is still having grievance, it is always open to him to establish his right before the competent Civil Court in the manner known to law.

8. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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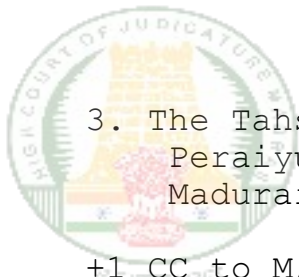
04/05/2022

Sub Assistant Registrar(CS)

To

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(Temple Lands),
Madurai.

2. The Executive Officer,
A/M Valakkamal Temple,
Elumalai Village,
Peraiyur Taluk,
Madurai District.



3. The Tahsildar,
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Madurai District.

+1 CC to M/s.SPL.GP (SR-17937[F] dated 11/04/2022)

+1 CC to M/s.S. MANOHAR, Advocate (SR-18047[F] dated 12/04/2022)

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NSN (CO)
KB (05.05.2022) 3P 6C