



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.378 of 2022

V.Muthu

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Thiruppuvanam,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the request of the petitioner to rectify the mistakes in UDR scheme that crept in in respect of the lands in S.No.227/30, T.Puliyangulam Village, Vallarentheal group, Thiruppuvanam Taluk, Sivagangai District and issue patta to the petitioner for the lands in S.No.227/33 measuring 0.80.0 hectares.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.D.Ghandiraj,
Special Government Pleader.

ORDER

Heard Mr.V.R.Shanmuganathan, learned Counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader who takes notice for the respondents.

2. The present Writ Petition has been filed in the nature of Mandamus seeking a direction to the second respondent / the District Revenue Officer, Sivagangai District, Sivagangai to complete the enquiry, which is ongoing, with respect to the lands in Survey No.227/30 situated at T.Puliyangulam Village, Vallarentheal Group, Thiruppuvanam Taluk, Sivagangai District measuring 3 acres.



3. There were litigations between the petitioner and his brother. Learned counsel for the petitioner stated that finally, the right and title of the petitioner has been recognized by the Court in the First Appeal in the year 1994 and to the knowledge of the petitioner, there is no further appeal pending.

4. In the meanwhile, there appears to have been an error, according to the petitioner, in the UDR namely, Updating Registry Scheme and the name of one Karuppusamy, son of Neelamegam had been entered in the said register. In paragraph 3 of the affidavit, which is pointed out by Mr.D.Ghandiraj, learned Special Government Pleader, the name, Karuppusamy, son of Neelamegam had been disclosed by the petitioner. However, at the very last line of the said paragraph, it had been stated the petitioner is not able to locate or identify such individual. Impleading him as a respondent to the Writ Petition would only be an exercise in futility as notice will not be served on him.

5. Therefore, the matter is relegated back to the second respondent / the District Revenue Officer, Sivagangai District, Sivagangai, who may call upon the Tahsildar or even the Village Administrative Officer to determine the details about the said individual, Karuppusamy, son of Neelamegam. An obligation is therefore placed on the second respondent, to, while conducting the enquiry, ensure that necessary notice is issued to Karuppusamy, son of Neelamegam and after getting a report about the said individual, proceed further in manner known to law, examine the records and complete the said enquiry within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Thiruppuvanam,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-1301[F] dated 11/01/2022)

+1 CC to M/s.V.R.SHANMUGANATHAN, Advocate (SR-1038[F] dated
10/01/2022)

**W.P. (MD) .No.378 of 2022
10.01.2022**

bk(CO)

TR(02.02.2022) 3P 6C