



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.2810 of 2022

WEB COPY
Vellimalai

.. Petitioner

Vs.

1.The District Revenue Officer,
Dindigul, Dindigul District.

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

3.The Tahsildar,
Dindigul East Taluk,
Taluk Office, Dindigul,
Dindigul District.

4.Velu

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to cancel the Patta No.583, issued during UDR scheme in the name of the 4th respondent for the petitioner family property of bearing Survey No.158, an extend of 0-4.34 ares, Patta No.583, situated at Sirumalai Village, Dindigul East Taluk, Dindigul District and consequently issue patta in the petitioner name.

For Petitioner	:	Mr.R.Murugappan
For Respondents	:	Mr.G.V.Vairam Santhosh
		for R1 to R3
		Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to cancel the patta No.583 issued during UDR scheme in the name of the fourth respondent in respect of the property bearing S.No.158 measuring an extent of 0-4.34 ares situated at Sirumalai Village, Dindigul East Taluk, Dindigul District and pass orders accordingly, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is the absolute owner of the aforementioned property and is in possession of the same. According to him, after the UDR scheme patta for the said property has been wrongly issued in the name of the fourth respondent. Therefore, he has sought for cancellation of patta No.583 standing in the name of the fourth respondent and he has



given a representation on 27.09.2021 to the respondents 2 and 3 and to the first respondent on 09.02.2021. Since the said representations have not been considered till date, he has filed this writ petition.

3. Heard Mr.R.Murugappan, learned counsel for the petitioner and Mr.G.V.Vairam Santhosh, learned Additional Government Pleader appearing for the respondents 1 to 3.

4.The petitioner has filed certain documents including house tax receipts to show that he is in possession of the aforementioned property. According to him, after the UDR scheme, by mistake patta No.583 for the very same property has been issued to the fourth respondent. So he has given representations to the respondents 2 and 3 on 27.09.2021 and to the first respondent on 09.02.2021 requesting them to cancel the patta issued to the fourth respondent. Admittedly, the said representations have not been considered till date.

5.No prejudice will be caused to the respondents if the petitioner's representations dated 09.02.2021, seeking for cancellation of patta No.583 issued during the UDR scheme in the name of the fourth respondent for the property bearing Survey No.158, an extent of 0-4.34 ares, Patta No.583, situated at Sirumalai Village, Dindigul East Taluk, Dindigul District, is considered on merits and in accordance with law and final orders passed thereafter, after affording a fair hearing to the petitioner, the fourth respondent and any other rival claimant, if any.

6.Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 09.02.2021, requesting the first respondent to cancel the patta No.583 issued during UDR scheme in the name of the fourth respondent for the property bearing Survey No.158, an extent of 0-4.34 ares, Patta No.583, situated at Sirumalai Village, Dindigul East Taluk, Dindigul District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the fourth respondent and other rival claimant, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

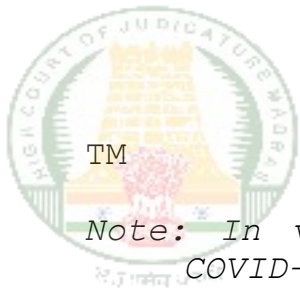
Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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 Revenue Officer,
Dindigul,
Dindigul District.
- 2.The Revenue Divisional Officer,
Dindigul,
Dindigul District.
- 3.The Tahsildar,
Dindigul East Taluk,
Taluk Office,
Dindigul,
Dindigul District.

+1 CC to M/s.SPL GP (SR-7751[F] dated 22/02/2022)

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-7651[F] dated 22/02/2022)

**W.P (MD) .No.2810 of 2022
21.02.2022**

SVS (CO)
TR(02.03.2022) 3P 6C