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W.P.(MD)NO.4733 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4733 of 2021 and
W.M.P.(MD)Nos.3844 & 3846 of 2021

Karthikeyan (Proprietor),
S/o.Palaniappan,
Arun Anith Shelthers Limited,
Appaneri, Kovilpatti,
Tuticorin District.

... Petitioner

Vs.

1. The District Collector,
District Collectorate Campus,
Tuticorin District.
2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
3. The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Tuticorin District.
M.Karuppasamy (died)
4. K.Arumugasamy
(R-4 is suo motu substituted vide Order dated 19.12.2022)

...

Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the 2nd respondent in Ni.Mu.A2/9205/2018 dated 09.10.2020 and quash the same.



For Petitioner : Mr.A.Srinivasan

For R-1 to R-3 : Mr.M.Siddharthan,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

2. The fourth respondent Karuppusamy had passed away even before passing of the impugned order. I therefore, *suo motu* substitute his son K.Arumugasamy.

3. By the impugned order, the Revenue Divisional Officer had proceeded to correct what according to her was the error committed during UDR.

4. It is well settled that the error committed during UDR can be corrected and rectified only by the District Revenue Officer. On the ground of lack of jurisdiction, the



order impugned in the writ petition is set aside. The matter is remitted to the file of the District Revenue Officer, Tuticorin.

The District Revenue Officer, Tuticorin, will issue notice to the petitioner and the impleaded fourth respondent and the other interested persons if any and pass final order on merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

5. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

19.12.2022

Index : Yes / No

Internet : Yes/ No

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To:

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Tuticorin District.
2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
3. The Tahsildar,
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Kovilpatti,
Tuticorin District.



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G.R.SWAMINATHAN,J.

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