



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3954 of 2022

M.Udayakumar

... Petitioner

vs.

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Thiruchuli Taluk, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 25.02.2022 and rectify the corrections in the UDR and restore the same as earlier within a reasonable time.

For Petitioner :Mr.V.M.Jegadeeshapandian
For Respondents :Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's representation, dated 25.02.2022 requesting the second respondent to rectify and correct the mistake in the UDR patta and restore the same back to its earlier position and pass final orders within a time frame to be fixed by this Court.

2.The case of the petitioner is that he is the absolute owner of the property comprised in S.Nos.129/2, 3 and 4 at Velaneri Village, Thiruchuli Taluk, Virudhunagar District. According to him, after UDR survey, a mistake has crept in the patta for the aforementioned property. He has given a representation on 25.02.2022 to the second respondent requesting him to correct the



mistake. Since the representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.V.M.Jegadeeshapandian, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. On instructions, the learned Special Government Pleader appearing for the respondents, would submit that the petitioner's representation has already been considered by the fourth respondent pursuant to the direction given by this Court on 09.07.2021 in W.P. (MD)No.11423 of 2021. According to him, the petitioner has been treated as an encroacher.

5. However, the learned Counsel for the petitioner would submit that the representation given by the petitioner is to the second respondent and not to the fourth respondent. Hence, the second respondent, who is the superior authority, will have to consider the same on merits and in accordance with law.

6. No prejudice will be caused to the respondents, if the representation of the petitioner is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

7. Accordingly, this Court directs the second respondent to consider the petitioner's representation, dated 25.02.2022 seeking for rectification of the UDR patta for the property comprised in S.Nos.129/2, 3 and 4 at Velaneri Village, Thiruchuli Taluk, Virudhunagar District. and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

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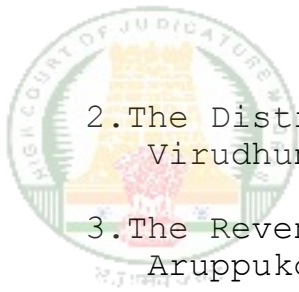
/ /2022

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District, Virudhunagar.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Thiruchuli Taluk, Virudhunagar District.

+1 CC to M/s.SPL GP (SR-10380[F] dated 07/03/2022)

Order made in
W.P. (MD)No.3954 of 2022
03.03.2022

CMR
MS/18.03.2022/3P.6C