



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3980 of 2022

WEB COPY

Narayanan

... Petitioner

Vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3. The Tahsildar,
Aranthangi,
Pudukkottai District.

4. Rethinam

5.The District Revenue Officer,
Pudukkottai District.

... Respondents

[R5 is suo motu impleaded vide order
dated 04.03.2022]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to rectify the errors in respect of the survey No.13/15B with an extent of 0.23.0 ares situated at Kandichankadu Village, Aranthangi Taluk, Pudukkottai District, within a time frame that may be stipulated by this Hon'ble Court based on the petitioner's representation dated 14.02.2022.

For Petitioner	: Mr.C.Padmaraj
For Respondents	: Mr.T.Amjad Khan Government Advocate for R1 to R3

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the official respondents to rectify the alleged errors in respect of Survey No.13/15B measuring an extent of 0.23.0 ares situated at Kandichankadu Village, Aranthangi Taluk, Pudukkottai District by considering the petitioner's representation dated 14.02.2022 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 aforementioned property. However, according to him after the UDR survey, the patta has been issued wrongly for the aforementioned property in the name of the fourth respondent. The petitioner has given a representation dated 14.02.2022 to the official respondents seeking for rectification of the same. Since the said representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.C.Padmaraj, learned Counsel appearing for the petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents 1 to 3.

4.Learned Government Advocate would submit that the representation of the petitioner can only be considered by the District Revenue Officer, Pudukottai District and not by the Revenue Divisional Officer. The said statement is recorded.

5.The petitioner has filed documents in support of his case along with this writ petition. He has also filed patta which was standing in his name earlier and subsequently changed in the name of the fourth respondent after the UDR survey. All these documents will have to be considered by the District Revenue Officer once final orders are passed by him.

6.For the foregoing reasons, this Court directs the District Revenue Officer, Pudukottai District [*Suo motu* impleaded by this Court] to consider the petitioner's representation dated 14.02.2022 seeking for rectification of the alleged errors in respect of Survey No.13/15B measuring an extent of 0.23.0 ares situated at Kandichankadu Village, Aranthangi Taluk, Pudukottai District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the fourth respondent and any other rival claimants within twelve [12] weeks from the date of receipt of a copy of this order. The Revenue Divisional Officer is directed to communicate this order to the District Revenue Officer, Pudukottai for its implementation. Registry is directed to mark a copy to the District Revenue Officer, Pudukottai District.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



MR

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,
Pudukkottai District,
Pudukkottai.
2. The Revenue Divisional Officer,
Aranthangi, Pudukkottai District.
3. The Tahsildar,
Aranthangi, Pudukkottai District.
4. The District Revenue Officer,
Pudukkottai District.

+1 CC to M/s.C.PADMARAJ, Advocate (SR-10049[F] dated 04/03/2022)

+1 CC to M/s.SPL GP (SR-10337[F] dated 07/03/2022)

ORDER MADE IN
W.P. [MD]No.3980 of 2022
04.03.2022

_SS/22.03.2022 : 3P/7C