



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4068 of 2022

Kumar

.. Petitioner

Vs

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai,
Pudukottai District.

3.The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

4.Thangaraj

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to consider petitioner's appeal representation, dated 20.10.2021, on merits and pass orders further rectify the mistake in Field Measurement Book in Survey Number 273/5, 273/6 in Karambakudi Revenue Village, Pudukottai District.

For Petitioner
For Respondents

: Mr.S.Poornachandran
: Mr.M.Lingadurai for R1 to R3
Special Government Pleader

ORDER

This writ petition has been filed seeking for a Mandamus to direct the respondents 2 and 3 to consider the petitioner's representation, dated 20.10.2021, requesting for rectification of the alleged mistake made in Field Measurement Book for S.Nos.273/5 and 273/6 in Karambakudi Revenue Village, Pudukottai District, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that after the UDR survey, a mistake has crept in the Field Measurement Book for the S.Nos.273/5 and 273/6 in Karambakudi Revenue Village, Pudukottai District. The petitioner claims that he is the absolute owner of the aforementioned property. But due to the mistake according to him, the name of the fourth respondent is mentioned. Hence, he has sought for rectification, by giving a representation on 20.10.2021, to the second and third respondents. Since his representation has not been considered till date, he has filed this writ petition.



3.Heard Mr.S.Poornachandran, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4.The petitioner has produced patta standing in the name of his mother for the aforementioned property. His mother namely Ramayee passed away in the year 2015. According to him, after his mother's death, her legal heirs, including the petitioner, are the owners. According to him, after the UDR survey, there is a mistake found in the Field Measurement Book for the S.Nos.273/5 and 273/6 in Karambakudi Revenue Village, Pudukottai District. Hence, he has sought for rectification of the alleged mistake and has given a representation on 20.10.2021 to the respondents 2 and 3.

5.No prejudice will be caused to the respondents 2 and 3, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth respondent as well as any other party, whom the second and third respondents deem fit to enquire.

6.Accordingly, this Court directs the second and third respondents to consider the petitioner's representations, dated 20.10.2021, seeking for rectification of the alleged mistake found in Field Measurement Book for the S.Nos.273/5 and 273/6 in Karambakudi Revenue Village, 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 as well as any other party, whom the second and third respondents deem fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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.

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



To

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai,
Pudukottai District.

3.The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

+1 CC to M/s.SPL GP (SR-10602[F] dated 08/03/2022)

+1 CC to M/s.S.POORNACHANDRAN, Advocate (SR-10677[F] dated
08/03/2022)

W.P. (MD)No.4068 of 2022
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NSN(CO)
KB(17.03.2022) 3P 6C