



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.6228 of 2022

WEB COPY

Dhanapaul

... Petitioner

Vs.

1.The District Revenue Officer,
Karur,
Karur District.

2.The Revenue Divisional Officer,
Kulithalai Taluk,
Karur District.

3.The Tahsildar,
Kulithalai Taluk,
Karur District.

4.Subramani

5.Dhanapaul

6.Erraji

7.Rajaram

8.Vellachamy

9.Janaki

10.Chinnaponnu

11.Erraji Rettiar

12.Ejjammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to remove the name of the respondents 4 to 12 from the petitioner's family property in Survey No.217/1B - Patta No.735, an extent of 2.90.00 ares, situated at Pathiripatti Revenue Village, Kulithalai Taluk, Karur District.

For Petitioner	: Mr.R.Murugappan
For Respondents 1 to 3	: Mr.M.Lingadurai
	Special Government Pleader
For Respondents 4, 5 & 12	: Mr.T.Madasamy

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to remove the name of the respondents 4 to 12, who according to the petitioner have been wrongly included in the Patta No.735 in Survey No.217/1B, measuring



an extent of 2.90.00 ares, situated at Pathiripatti Revenue Village, Kulithalai Taluk, Karur District based on the petitioner's representation dated 15.11.2021, within a time frame to be fixed by this Court.

2. According to the petitioner, after the UDR survey, the names of the fourth to twelfth respondents have been wrongly included in Patta No.735. In such circumstances, the petitioner has given a representation on 15.11.2021 to the official respondents seeking for rectification of the mistake in the patta. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.R.Murugappan, learned Counsel appearing for the writ petitioner, Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 3 and Mr.T.Madasamy, learned Counsel who accepts notice on behalf of the respondents 4, 5 and 12.

4. On instructions, learned Special Government Pleader appearing for the official respondents would submit that enquiry has already commenced on the petitioner's representation. However, he would submit that no records have been submitted by the petitioner along with his representation.

5. Learned Counsel for the petitioner submits that the petitioner is ready and willing to submit the records to substantiate his claim before the first respondent. The said statement is recorded.

6. No prejudice would be caused to the first respondent if the petitioner's representation seeking for rectification of the mistake committed in the patta as stated supra is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 4 to 12 and any other necessary party, whom the first respondent deems fit to enquire.

7. Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 15.11.2021, seeking for removal of the names of the respondents 4 to 12 in Patta No.735 in respect of the property comprised in in Survey No.217/1B, measuring an extent of 2.90.00 ares, situated at Pathiripatti Revenue Village, Kulithalai Taluk, Karur District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 4 to 12 and any other necessary party, whom the first respondent deems fit to enquire within a period of four [4] months from the date of receipt of a copy of this order. The petitioner is directed to submit all the relevant records / documents before the first respondent in order to prove his case.



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

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// True Copy //

Sd/-

Assistant Registrar (CO)

/ /2022

Sub Assistant Registrar (CS)

MR

To

1. The District Revenue Officer,
Karur,
Karur District.
2. The Revenue Divisional Officer,
Kulithalai Taluk,
Karur District.
3. The Tahsildar,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-16971[F]
dated 06/04/2022)

+1 CC to M/s.SPL.GP (SR-17186[F] dated 07/04/2022)

ORDER MADE IN

W.P. [MD]No.6228 of 2022

05.04.2022

SVN (CO)

GC (19.04.2022) 3P 6C