



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6814 of 2022

Padmanaba

... Petitioner

/Vs./

1. The District Revenue Officer,
Collectorate Campus,
Virudhunagar,
Virudhunagar District.
2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
3. The Tahsildar,
Aruppukottai,
Virudhunagar District.
4. The Commissioner,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.

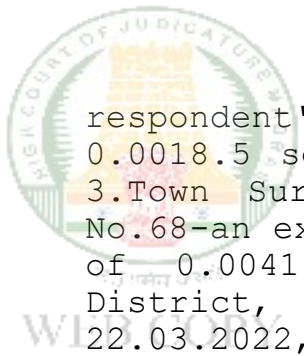
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to remove the name of the one Duraisamynathan (died) from Petitioner's family property of 4th Respondent's Town Register, 1. Town Survey No.59 an extent of 0.0018.5 sq.mt, 2. Town survey No.60-an extent of 0.0019.5 sq.mt, 3.Town Survey No.61-an extent of 0.0117.0 sq.mt, 4.Town Survey No.68-an extent of 0.0299.0 sq.mt, and 5.Town Survey No.69-an extent of 0.0041 sq.mt situated at Aruppukottai Town, Virudhunagar District.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R1 to R3
: Mr.N.Dilip Kumar
Standing Counsel for R4

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to remove the name of one (Duraisamynathan (died) from the petitioner's family property of 4th



respondent's Town Register, 1. Town Survey No.59 an extent of 0.0018.5 sq.mt, 2. Town survey No.60-an extent of 0.0019.5 sq.mt, 3.Town Survey No.61-an extent of 0.0117.0 sq.mt, 4.Town Survey No.68-an extent of 0.0299.0 sq.mt, and 5.Town Survey No.69-an extent of 0.0041 sq.mt situated at Aruppukottai Town, Virudhunagar District, on the basis of petitioner's representation dated 22.03.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned properties. According to him, after UDR Survey, the name of Duraisamynathan (died) was wrongly included in the Town Survey Register for the aforementioned properties. It is also the contention of the petitioner that Duraisamynathan is no more. In such circumstances, the petitioner has given a representation on 22.03.2022 requesting the respondents to remove the name of Duraisamynathan (died) from the Town Survey Register. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.R.Murugappan, learned Counsel for the writ petitioner, Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3 and Mr.N.Dilip Kumar, learned Standing Counsel, who accepts notice on behalf of the fourth respondent.

4.No prejudice would be caused to the first respondent, if the representation of the petitioner dated 22.03.2022 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, the legal heirs of the deceased Duraisamynathan and any other necessary party, whom the first respondent deems fit to enquire.

5.Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 22.03.2022 seeking for removal of the name of one Duraisamynathan (died) from the petitioner's family properties of 4th respondent's Town Register, 1. Town Survey No.59 an extent of 0.0018.5 sq.mt, 2. Town survey No.60-an extent of 0.0019.5 sq.mt, 3.Town Survey No.61-an extent of 0.0117.0 sq.mt, 4.Town Survey No.68-an extent of 0.0299.0 sq.mt, and 5.Town Survey No.69-an extent of 0.0041 sq.mt situated at Aruppukottai Town, Virudhunagar District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, the legal heirs of the deceased Duraisamynathan and any other necessary party, whom the first respondent deems fit to enquire, within a period of twelve [12] weeks from the date of receipt of a copy of this order. However, the petitioner is directed to produce all relevant documents to the first respondent to prove his case.



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

Sd/-

Assistant Registrar (AS)

// True Copy //

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/ /2022

Sub Assistant Registrar (CS)

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To

1. The District Revenue Officer,
Collectorate Campus,
Virudhunagar,
Virudhunagar District.
2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
3. The Tahsildar,
Aruppukottai,
Virudhunagar District.

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-18433[F] dated 13/04/2022)

+1 CC to M/s.SPL.GP. (SR-18860[F] dated 13/04/2022)

+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-19127[F] dated 18/04/2022)

W.P. [MD]No.6814 of 2022

12.04.2022

RD(25.04.2022) 3P 7C