



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8649 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.Koolaiyan Pagadai
5.Ramar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st Respondent to cancel the sub division of the Petitioner family property bearing Survey No.216 and extend of 12 acre 95 cents, situated at Pathiripatti Revenue Village, Kulithalai Taluk, Karur District, during UDR Scheme as Survey No. 216/1 an extend of 4-63-25 ares - Patta No.734 issued in the name of the Respondents 4 and 5 and others.

For Petitioner : Mr.R.Murugappan
For Respondent : Mr.D.Sasikumar for R1 to R3
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to cancel the sub division of the Petitioner's family property bearing Survey No.216 and extent of 12 acre 95 cents, situated at Pathiripatti Revenue Village, Kulithalai Taluk, Karur District, during UDR Scheme as Survey No. 216/1 an extent of 4-63-25 ares - Patta No.734 issued in the name of the Respondents 4 and 5 and others, based on the petitioner's representation, dated 07.04.2022, within a time frame to be fixed by this Court.



2.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

3.According to the petitioner, after UDR scheme, patta has been wrongly issued in favour of the fourth and fifth respondents by subdividing the property and by including the portion of the petitioner's property. In such circumstances, he has given a representation on 07.04.2022, to the respondents, seeking for rectification and for cancellation of the patta issued in favour of the fourth and fifth respondents and others.

4.No prejudice will be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth and fifth respondents and any other necessary party, whom the first respondent deems fit to enquire.

5.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation, dated 07.04.2022, seeking for cancellation of the patta wrongly issued in favour of the fourth and fifth respondents subsequent to the UDR survey and also subdividing the property, thereafter, within a period of three months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the respondents 4 and 5 and any other necessary party, whom the first respondent deems fit to enquire, including granting them the right of personal hearing.

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

Sd/-

Vacation Officer/
Assistant Registrar (CS-II)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

TM

To

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

2.The Revenue Divisional Officer,
Kulithalai Taluk,

<https://hcservices.karur.go.in/hcservices>



3.The Tahsildar,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-22860[F] dated 29/04/2022)

+1 CC to M/s.SPL.GP (SR-23182[F] dated 02/05/2022)

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29.04.2022

SS (CO)

GC(18.05.2022) 3P 6C