



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3810 of 2017

V.Ganesan

... Petitioner

Vs.

1.The District Revenue Officer,
District Collectorate,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

3.S.Poomayil

4.S.Ravi

5.Manjula

... Respondents

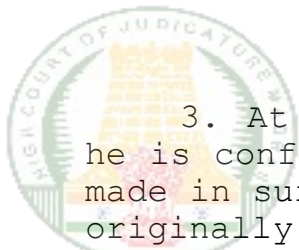
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders made in MuMu.No.A5/5000/2014, dated 27.03.2015 issued by the second respondent as well as the proceedings of the first respondent made in PaMu(P6)31489/2015, dated 29.03.2016 and quash the same insofar as S.No.280/15A and 280/15B situated at Subramaniyapuram, Anju Kottai Group, Thiruvadanai Taluk, Ramanathapuram District are concerned and consequently direct the first respondent to rectify the mistake in the UDR proceedings based on the registered partition deed dated 31.07.1976 and to issue patta in favour of the petitioner pertaining to S.No.280/15B situated at Subramaniyapuram, Anju Kottai Group, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner	: Mr.P.R.Prithiviraj
For R1 & R2	: Mr.G.Sivaraja
	Government Advocate
For R3 to R5	: No appearance

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for R1 & R2.

2. Though the private respondents have been served and their names are printed in the cause list, they have not chosen to enter appearance.



3. At the very outset, the learned counsel made it clear that he is confining the scope of the writ petition to the entries to be made in survey Nos.280/15A & 280/15B. It is seen that the property originally belonged to the grandfather of the petitioner namely Thiru.Muthiah. Following his demise, the property had devolved on the petitioner's father, petitioner and his brother namely V.Subramanian. There was a partition among the three on 31.07.1976. Under the said registered partition deed, 'A' schedule was allotted to Vellaichamy, while 'B' schedule was allotted to Subramanian and 'C' schedule was allotted to the petitioner.

4. I went through the contents of the partition document. Though it deals with a number of documents as already pointed out, the scope of the writ petition is confined to Survey No.280/15 alone. Under the partition deed, the northern portion of survey No.280/15 measuring 31 cents was allotted to Subramanian, while the southern portion measuring 31 cents was allotted to the petitioner. However, in the UDR, it was erroneously mentioned that survey No.280/15A which pertains northern portion was in the name of Vellaichamy, while survey No.280/15B which pertains southern portion was shown in the name of Subramanian. It is this error which the petitioner wants to correct. Any error committed during UDR has to be corrected only by the District Revenue Officer. The only correction which the petitioner wants is that Survey No.280/15A should reflect the name of V.Subramanian, while Survey No.280/15B should reflect the name of the petitioner namely V.Ganesan.

5. No exception can be taken to the said request. The first respondent needlessly went into the other survey numbers and finding that the names of unconnected persons have been shown as joint pattadhars threw out the petitioner's request in toto. The first respondent ought to have separated the chaff from the grain.

6. In this view of the matter, the impugned order is set aside only to this limited extent. The revenue authority is directed to issue patta in respect Survey No.280/15A to Subramanian and in respect of Survey No.280/15B to the petitioner V.Ganesan. The Writ Petition is allowed accordingly. No costs.

Sd/-

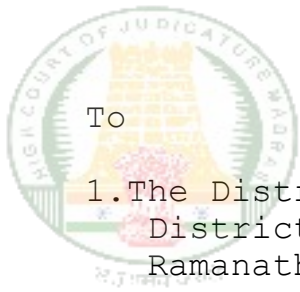
Assistant Registrar(CS-III)

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/07/2022

Sub Assistant Registrar(CS)

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To

1.The District Revenue Officer,
District Collectorate,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-26787[F] dated 20/06/2022)

+1 CC to M/s.D. SADIQ RAJA, Advocate (SR-26897[F] dated
20/06/2022)

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KS (CO)
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