



WEB COPY



W.P(MD)No.23884 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23884 of 2016

S.Kannan

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Madurai.

3.The Tahsildar,
Vadipatti Taluk Office,
Vadipatti, Madurai District.

4.The Head Surveyor,
Vadipatti Taluk Office,
Vadipatti, Madurai District.

5.The District Revenue Officer,
Collectorate, Madurai District.

... Respondents

(R5 is impleaded vide Court order dated 05.08.2022 in W.M.P(MD).No. 12713 of 2022 in W.P(MD).No.23884 of 2016)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to rectify the mistake committed in UDR scheme in respect



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of Re-Survey No.93B at Thethoor Village, Vadipatti Taluk, Madurai District and to survey the petitioner's 16 cents of land in Survey No.93B situated at Thethoor Village, Vadipatti Taluk, Madurai District and to issue a patta by considering the petitioner's representation dated 18.10.2016.

For Petitioner : Mr.K.Sudalaiyandi
For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present writ petition has been filed seeking for a writ of mandamus directing the respondents to rectify a mistake in the UDR proceedings relating to certain survey number belonging to the writ petitioner. His father namely, Subramanian has already filed an appeal before the fifth respondent herein on 01.04.2010 relating to the same issue. Since the said appeal was not disposed of, his father had filed W.P(MD).No.86960 of 2011 before this Court for a direction to disposal of the appeal. By an order dated 04.08.2011, this Court has directed the fifth respondent herein to pass orders within a period of twelve(12) weeks. However, the said order has not been complied with and no orders have been passed in the appeal filed by the writ petitioner's father.

2.As per the statutory provisions, the fifth respondent alone is



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empowered to rectify any mistake that had happened during the UDR proceedings. Even as on today, the appeal filed by the writ petitioner's father is pending before the fifth respondent. Hence, the fifth respondent is directed to dispose of the said appeal of the writ petitioner's father dated 01.04.2010, after the petitioner gets impleaded himself as the legal heir of the original appellant. After the petitioner gets impleaded himself as the legal heir of the original appellant, the appeal shall be disposed of by the fifth respondent herein within a period of twelve(12) weeks from the date of receipt of a copy of this order. The time limit fixed by this Court shall be strictly adhered to. The fifth respondent has already violated the order of this Court dated 04.08.2011, any further violation will be strictly viewed.

3.With the aforesaid observation, the Writ Petition stands allowed. No costs.

18.08.2022

Index : Yes / No
Internet : Yes / No
Rmk



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R.VIJAYAKUMAR ,J.

Rmk

To

- 1.The District Collector,
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Madurai.
- 3.The Tahsildar,
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Vadipatti, Madurai District.
- 4.The Head Surveyor,
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Vadipatti, Madurai District.
- 5.The District Revenue Officer,
Collectorate, Madurai District.

Order made in
W.P(MD)No.23884 of 2016

Dated:
18.08.2022

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