



W.P.(MD)No.26984 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26984 of 2022

and

W.M.P.(MD)No.21152 of 2022

A.Muthulakshmi

.. Petitioner

Vs.

1.The District Revenue Officer,
O/o.District Revenue Office,
Tuticorin District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Tiruchendur Taluk,
Tuticorin District.

3.The Tahsildar,
Eral Taluk,
Tuticorin District.

4.R.Chandrasekaran
5.Selvasekaran

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the District Revenue Officer, Tuticorin District, first respondent herein to cancel the patta granted during UDR in respect of the property situate in survey number 231/2, Angamangalam Village, Eral Taluk, Tuticorin District of an extent of 23 cents out of 1 acre 55 cents by disposing the representation / appeal dated



W.P.(MD)No.26984 of 2022

21.03.2022 of the petitioner in the proceeding in O.Mu.(D6)/9629/2022, dated 04.04.2022 on the file of the District Revenue Officer, Tuticorin, the first respondent herein and pass appropriate orders within a stipulated period.

For Petitioner : Mr.S.Siva Thilakar
For R1 to R3 : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the first respondent to cancel the patta granted during UDR in respect of the property in survey number 231/2 situated at Angamangalam Village, Eral Taluk, Tuticorin District measuring to an extent of 23 cents out of 1 acre 55 cents by considering the representation / appeal dated 21.03.2022 of the petitioner in the proceeding in O.Mu.(D6)/9629/2022, dated 04.04.2022 on the file of first respondent herein.

2.Heard Mr.S.Siva Thilakar, learned counsel appearing for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents 1 to 3. Considering the nature of order proposed to be passed in this writ petition, notice to the respondents 4 and 5 is dispensed with. By consent of both parties, this writ petition is taken up for final disposal.



W.P.(MD)No.26984 of 2022

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3. The grievance of the petitioner is that representation/appeal of the petitioner seeking to cancel the patta granted based on the wrong entry made during UDR scheme in favour of the fourth and fifth respondents herein, has not been considered.

4. The learned counsel for the petitioner submitted that the petition mentioned property belonged to the petitioner. During UDR, patta to the said properties has been transferred in favour of the fourth and fifth respondents. The petitioner preferred an appeal/representation before the first respondent seeking to cancel the patta granted in favour of the fourth and fifth respondents. Since the first respondent has not taken any steps, the petitioner has filed the present writ petition with the prayer stated supra.

5. The petitioner has produced documents in support of her case that she is the owner of the aforementioned property. She has sought to cancel the patta granted in favour of the fourth and fifth respondents and the petitioner has given a representation/appeal dated 21.03.2022 for the said purpose.

6.No prejudice would be caused to the second respondent, if the proceedings, O.Mu.(D6)/9629/2022, dated 04.04.2022 in relation to the



W.P.(MD)No.26984 of 2022

appeal/representation preferred by the petitioner, dated 21.03.2022 seeking to cancel the patta issued in favour of the fourth and fifth respondents herein with regard to the petition mentioned properties, is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

7. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the official respondents to consider and complete the proceedings in O.Mu.(D6)/9629/2022, dated 04.04.2022, after giving notice to the petitioner and rival claimants, if any, within a period of twenty [20] weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

30.11.2022

Index : Yes/No
Internet : Yes/No
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W.P.(MD)No.26984 of 2022

V.BHAVANI SUBBAROYAN, J.

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To

- 1.The District Revenue Officer,
O/o.District Revenue Office,
Tuticorin District.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Tiruchendur Taluk,
Tuticorin District.
- 3.The Tahsildar,
Eral Taluk,
Tuticorin District.

Order made in
W.P.(MD) No.26984 of 2022

30.11.2022