



W.P.(MD) No.27110 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.27110 of 2022

S.Deivendran

... Petitioner

Vs.

- 1.The District Collector,
Madurai Collectorate Campus,
Madurai-20.
- 2.The Assistant Director (Village Panchayats),
Madurai Collectorate Campus,
Madurai-20.
- 3.The District Revenue Officer,
Madurai District.
- 4.The Revenue Divisional Officer,
Melur Taluk,
Madurai Division.



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5.The Block Development Officer,
Melur Union Office,
Madurai District.

6.The Tahsildar,
Melur Taluk,
Madurai District.

7.The President,
Sathamangalam Village Panchayat,
Thaniyamangalam Post-625 109,
Melur Taluk, Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the petitioner's application dated 29.06.2020 made to the 3rd respondent to make necessary UDR rectification in respect of the petitioner's property in S.No.109/3 (presently subdivided as S.No.109/32 and S.No.109/33) situated in Sathamangalam Village, Melur Sub Division, Madurai District which was wrongly classified as pathway during UDR subdivision.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.P.Maharajan,
Special Govt. Pleader for R1 to R4

: Mr.G.V.Vairam Santhosh,
Additional Govt. Pleader for R5 & R6



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 3rd respondent to dispose of the petitioner's application dated 29.06.2020, seeking to make necessary UDR rectification in respect of the petitioner's property in S.No.109/3 (presently subdivided as S.No.109/32 and S.No.109/33) situated in Sathamangalam Village, Melur Sub Division, Madurai District, which was wrongly classified as pathway during UDR subdivision.

2. Heard Mr.R.Maheswaran, learned counsel for the petitioner, Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the respondents 1 to 4 and Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for the respondents 5 and 6. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the seventh respondent is dispensed with.



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4. It is the case of the petitioner that the property in S.No.109/3, which was sub-divided as S.Nos.109/32 and 109/33, situated in Sathamangalam Village, Melur Sub Division, Madurai District is originally an ancestral property of the petitioner. After the demise of his father, the petitioner is in possession and enjoyment of the aforesaid property. In the year 2020, when the 5th respondent came to lay a road in the subject property, the petitioner came to understand that the subject property has been sub divided, during the UDR and S.No.109/33 has been classified as Pathway. Hence, the petitioner made an application before the third respondent on 29.06.2020, seeking to make necessary UDR rectification. Since the said application was not considered, the petitioner has filed this Writ Petition.

5. The learned Special Government Pleader appearing for the respondents 1 to 4 and the learned Additional Government Pleader appearing for the



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respondents 5 and 6 submitted that the petitioner's application dated 29.06.2020 would be considered by the official respondents on merits and in accordance with law, within a time frame, for which, the learned counsel for the petitioner is agreeable.

6. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the application of the petitioner dated 29.06.2020, on merits and in accordance with law, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
01.12.2022

vsm

To

1.The District Collector,
Madurai Collectorate Campus,
Madurai-20.



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and
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vsm

2.The Assistant Director (Village Panchayats),
Madurai Collectorate Campus,
Madurai-20.

3.The District Revenue Officer,
Madurai District.

4.The Revenue Divisional Officer,
Melur Taluk,
Madurai Division.

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