



WEB COPY



W.P.No.6728 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.6728 of 2023

S.Pachaiyappan

... Petitioner

Vs

1.The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.

2.The Tahsildar,
Tiruvannamalai,
Tiruvannamalai District.

3.The Firka Surveyor,
Thurinjapuram Firka,
Tiruvannamalai Taluk & District.

4.The Village Administrative Officer,
Vengayavelur Village,
Tiruvannamalai Taluk & District.

5.Sekar

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to consider and dispose of the representation of the petitioner dated 02.08.2021.

For Petitioner : Mr.R.Arundattan

For Respondents : Mr.P.Sathish

Addl. Govt. Pleader for R1 to R4



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ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to consider and dispose of the representation of the petitioner dated 02.08.2021.

2. In respect of property at Survey No.9/2B2, 2C 2A2, 2G situated at Vengayavelur Village, Inamkariyandal Post, Tiruvannamalai Taluk & District, it is the claim of the petitioner that, in respect of this land 5 cents out of the total area has been wrongly given patta during the UDR survey in some other person. Therefore in order to rectify the same, the petitioner though had given representation on 02.08.2021 to the respondent Revenue Divisional Officer, the same since has not been considered, he has approached this Court by filing the present writ petition.

3. Heard the learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents 1 to

4. In view of the order going to be passed in this writ petition, notice to the 5th respondent is hereby dispensed with.

4. The learned Additional Government Pleader for the official



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respondents would submit that, if at all any correction is sought for arising out of the UDR survey, the authority is District Revenue Officer to whom a representation should be made and if the petitioner comes forward to make a representation to the District Revenue Officer, he would consider the same and pass necessary orders thereon on merits within a time frame, he contended.

5. The learned counsel for the petitioner submitted that since the petitioner would make application or appeal before the District Revenue Officer within a time frame, thereafter let the appeal to be filed by the petitioner be directed to be considered by the District Revenue Officer concerned within a time frame on merits, he contended.

6. Considering the said submission made by both sides, this Court is inclined to dispose of this writ petition with the following orders:

That it is open to the petitioner to make representation/ appeal to the District Revenue Officer concerned i.e. District Revenue Officer, Tiruvannamalai Taluk and District within a period of two weeks from the date of receipt of a copy of this



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order and on receipt of the same, the District Revenue Officer concerned shall consider the said appeal/representation to be submitted by the petitioner and decide the same on merits and in accordance with law of course by giving an opportunity of being heard to both petitioner as well as the 5th respondent within a period of eight weeks thereafter.

6. With the above directions, this Writ Petition is disposed of. No costs.

03.03.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1.The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.

2.The Tahsildar,
Tiruvannamalai,
Tiruvannamalai District.

3.The Firka Surveyor,



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Thurinjapuram Firka,
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4.The Village Administrative Officer,
Vengayavelur Village,
Tiruvannamalai Taluk & District.



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R.SURESH KUMAR, J.

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