



W.P.No.11507 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11507 of 2023

K.Dhandapani Gounder

.. Petitioner

Vs

1.The Executive Officer,
Dhali Town Panchayat,
Udumalpet Taluk,
Tirupur District.

2.The Revenue Divisional Officer,
Udumalpet,
Tirupur District.

3.The Tahsildar,
Udumalpet Taluk,
Tirupur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records of the first respondent relating to notice made in Na.Ka.No.35 of 2020 dated 17.02.2023 and quash the same and consequently direct the 2nd and 3rd respondents to rectify the wrong classification of



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land to an extent of 5 cents in Survey No.24/B2B of Dhali Village as S.F.7 playground and issue patta in the name of the petitioner by considering the representation of the petitioner dated 28.02.2023.

For the Petitioner : Mr.S.Arjun

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

K.Dhandapani Gounder, son of Kandasamy Gounder, a resident of Thirumoorthy Nagar, Dhali Village, Udumalpet Taluk, Tiruppur District, has filed this writ petition challenging the impugned notice dated 17.2.2023 issued by the first respondent and to direct respondents 2 and 3 to rectify the wrong classification of land to an extent of 5 cents in Survey No.24/B2B situate at Dhali Village as S.F.7 playground.

2. Learned counsel appearing for the petitioner would submit that the land covered in Survey No.24/B2B measuring an extent of 4.63 acres situate at Dhali Village, Udumalpet Taluk, belongs to the



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petitioner and during Updating Registry Scheme (UDR) in the year 1993, the land in Survey No.24/B2B was sub-divided into Survey Nos.24/B2B1 and 24/B2B2 and at that time the petitioner's land to an extent of 5 cents in Survey No.24/B2B has been wrongly classified as playground by the revenue authorities and the same has to be rectified by respondents 2 and 3. As the respondent authorities have issued notice to vacate the encroached portion, the petitioner has filed this writ petition for the relief stated supra.

3. If the petitioner is aggrieved by the error in classification of his land as playground, he ought to have approached the Revenue Divisional Officer, Udumalpet. Invoking extraordinary jurisdiction under Article 226 of the Constitution of India, this Court cannot issue direction on the revenue authorities to re-classify the land.

4. The writ petition is dismissed. However, liberty is granted to the petitioner to file appropriate appeal/application before the Revenue Divisional Officer, Udumalpet against the wrong classification made by the Tahsildar, Udumalpet Taluk and upon



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receipt of the appeal/application, the Revenue Divisional Officer, Udumalpet is directed to dispose of the same on merits and in accordance with law.

There will be no order as to costs. Consequently, W.M.P.Nos.11397 and 11398 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)
17.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1.The Executive Officer,
Dhali Town Panchayat,
Udumalpet Taluk,
Tirupur District.
- 2.The Revenue Divisional Officer,
Udumalpet,
Tirupur District.
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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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