



Writ Petition No.21280 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.07.2023

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition No.21280 of 2023

WMP.No.20685 of 2023

Ramaraj Muthuvenkadappan

...Petitioner

Vs

1.The District Collector,
Cuddalore District Collectorate Office,
Gundusalai, Cuddalore-1.

2.The District Revenue Officer,
DRO Office,
Gundusalai, Cuddalore – 1.

3.The Revenue Divisional Officer,
RDO Office, St.Josephs College Road,
Manjakuppam, Cuddalore – 1.

4.The Tahsildar,
Kurinjipadi Taluk,
Taluk Office, Kurinjipadi.

5.The Additional Collector,
District Rural Development Agency (DRDA),
Beach Road, Cuddalore – 607 001.

6.The Block Development Officer,
Kurinjipadi Panchayat Union Office,
Kurinjipadi, Kurinjipadi Taluk.



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7.M.Ravichandran,
S/o.Muthiah,
Panchayat President,
Thaiyalgunampattinam Panchayat,
Chettiar Street,
Pethnamkuppam Post,
Kurinjipadi Taluk – 607 302.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the 1st and 2nd respondents to conduct a detailed enquiry based on the representation of the petitioner dated 11.07.2023, by following due process and giving fair opportunity to the petitioner within a period stipulated .

For Petitioner : Mr.Krishna Ravindran
for P.Kavin Prabhu

For Respondents : Mr.S.Silambanan
Additional Advocate General
Assisted by Mrs.S.Anitha
Special Government Pleader
for R1 to R5
Mr.N.R.R.Arun Natarajan
Special Government Pleader for R6



ORDER

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The writ petitioner has come up with this writ petition seeking to issue a writ of Mandamus directing the respondents 1 and 2 to conduct a detailed enquiry based on the representation of the petitioner dated 11.07.2023 and pass orders within the time stipulated by this Court.

2. According to the petitioner, he is a owner of 0.294 Sq.meter of land situated in Survey No.231/14, Natham in Thaiyagunampattinam Village, Kurinjipadi Taluk, Cuddalore District. The 7th respondent tried to put up construction in the above said land of the petitioner and hence the petitioner approached the first respondent by submitting a representation.

3. The 4th respondent filed a counter affidavit stating that under Natham UDR scheme implemented in the year 1992 in Thaiyagunampattinam, Kurinjipadi Taluk, Cuddalore District, the Survey No.231/14 with an extent of 0.294 Sq.meter is registered as vacant land. In the very same Natham UDR Scheme, the members of the petitioner's family namely wife of the petitioner Radha Ammal, mother of the petitioner Kowsalya and grand mother of the petitioner Kuppammal participated and



obtained patta in their names in respect of S.Nos.231/2 and 231/3. As far as the disputed S.No.231/14 is concerned, it is mentioned as Sarkar Poromboke and in remarks column, it is mentioned as vacant site.

4. The learned counsel for the petitioner submitted that the entry in Natham UDR Scheme of 1992 was made behind the back of the petitioner, therefore, the classification mentioned in 1992 scheme would not bind the petitioner. The statement made by the learned counsel for the petitioner cannot be accepted in view of the fact that the family members of the petitioner namely the wife, mother and grandmother of the petitioner appeared before the authorities in UDR scheme and obtained patta in respect of the other survey numbers.

5. The learned Additional Advocate General appearing for the respondents 1 to 4 also produced the Patta Acquittance Register and enquiry register. A perusal of the registers produced by the respondents would suggest the family members of the petitioner appeared for the enquiry and signed the register. In fact on behalf of the petitioner's wife viz., Radha Ammal, the petitioner himself signed Acquittance Register. Therefore, it



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cannot be said, the 1992 Natham UDR Scheme re-classification was made in favour of Government without proper notice to the petitioner.

6. In view of the fact that as on today the Revenue records stand in the name of Government, it is not open to the petitioner to maintain this writ petition. If at all, the petitioner has got any rights over the property, it is for him to establish his title by moving the Civil Court. With this liberty, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

27.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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S.SOUNTHAR, J.

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