



W.P.No.29166 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.29166 of 2023

and

W.M.P.No.28776 of 2023

S.Parasuraman
S/o Subramanian
South-East A.Marur Village,
Sethuvarayankuppam,
Veppur Taluk,
Cuddalore District – 606 302
Represented by his Power of Attorney Agent
K.Sulochalana
W/o, T.Kannadasan
Door No.334, Muthukrishnapuram
Kokarasanpet, Sri Mushnam Taluk,
Cuddalore District – 608 703.

... Petitioner

Vs.

1. The District Collector,
Cuddalore District,
Cuddalore 607 701.
2. The District Revenue Officer,
Cuddalore District,
Cuddalore 607 701.



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3. The Sub Collector,
Vriddhachalam,
Cuddalore District 606 601.

4. The Tashildar,
Veppur Taluk,
Veppur,
Cuddalore District 606 304.

5. Rajambal ... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent herein in connection with the impugned order of the District Collector, Cuddalore, the first respondent herein under his proceedings in Na.Ka.No.V3/545367/2023, dated 28.04.2023 and quash the same and consequently direct the respondents 1 to 4 to rectify the Revenue Records in respect of the petitioner's property in Survey No.7/2E at A.Marur Village, Veppur Taluk, Cuddalore District in Patta No.138, measuring 0.94.0 Ares (Acre 2.34 cents) in the A Register of A.Marur Village, Veppur Taluk, Cuddalore District.

For Petitioner : Mr.M.Ramamoorthi

For R1 to R4 : Mr.V.Veluchamy
Additional Government Pleader



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ORDER

Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent herein in connection with the order of the District Collector, Cuddalore, in his proceedings in Na.Ka.No.V3/545367/2023, dated 28.04.2023 and to quash the same and consequently direct the respondents 1 to 4 to rectify the Revenue Records in respect of the petitioner's property in Survey No.7/2E at A.Marur Village, Veppur Taluk, Cuddalore District in Patta No.138, measuring 0.94.0 Ares (Acre 2.34 cents) in the 'A' Register of A.Marur Village, Veppur Taluk, Cuddalore District.

2. Learned counsel appearing for the writ petitioner submitted that despite recommendation made by the respondents 1 and 2, the third respondent has not rectified the revenue records.

3. On a perusal of the records, it is found that neither notice was served nor opportunity was given to the rival claimant who is the fifth respondent herein. In the absence of fifth respondent, the impugned



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order passed by the official respondents is liable to be set aside. Accordingly, the same is set aside. The official respondents are directed to issue notice to the fifth respondent, the writ petitioner and all the private parties those who are interested in the property concerned, conduct an enquiry and rectify the records in respect of the petitioner's property within a period of three months from the date of receipt of a copy of this order.

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

09.10.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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Veppur,
Cuddalore District 606 304.



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P.VELMURUGAN, J.

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