



W.P.(MD) No.14460 of 2012

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.14460 of 2012
and M.P.(MD)No.1 of 2012

K.Pappathi @ Kaliammal

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Collectorate,
Dindigul District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Palani.
- 4.The Tahsildar,
Thasildar Office,



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Vedasandur,
Dindigul District.

5.The Block Development Officer,
Block Development Office,
Vedasandur,
Dindigul District.

6.Vellaichamy Gounder

7.Muthusamy Gounder

8.Ramasamy

9.Rathinavelu

10.Natchiappa Gounder

11.Subramani

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 5 restore the Chetti Kulam Kanmoi situated at S.No.144/1 and 728/1E in Tattarapatti Panchayat, Vedasandur Village, Dindigul District to its original condition.

For Petitioner : Mr.T.Antony Arulraj

For Respondents : Mr.P.Thilak Kumar,
Government Pleader for R1 to R5
Mr.N.Tamilmani for R6



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 restore the Chetti Kulam Kanmoi, situated at S.No.144/1 and 728/1E in Tattarapatti Panchayat, Vedasandur Village, Dindigul District to its original condition.

2. The learned counsel appearing for the petitioner submitted that the respondents 6 to 11 have encroached the land in S.No.144/1 and 728/1E, which are classified as Kanmoi. Since no action was taken by the respondents to take necessary action for removal of the encroachment made in the Chettikulam Kanmoi, the petitioner has filed this Writ Petition.

3. The learned Government Pleader appearing for the respondents 1 to 5 has produced the 'A' Register and submitted that S.No.144/1 stands in the name of one Mohammed Ismayil and 14 others and S.No.728/1E stands in the name of one Ummasalma Beevi and 4. He further submitted that if there is any change in



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UDR patta, the petitioner has to file an application before the respondents for rectification of the same.

4. Considering the said submissions, we are of the view that the petitioner has to approach the second respondent for rectification of UDR patta and also for cancellation of patta granted in favour of the private respondents.

5. With the above liberty, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K., J.] [R.V., J.]

09.01.2023

NCC : Yes / No

Index : Yes / No

vsm



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