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W.P.(MD) No.17121 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD) No.17121 of 2023

S.Karuppan

... Petitioner

-VS-

1.The District Collector
Pudukottai District

2.The Tahsildar
Tahsildar Office
Pudukottai

3.Mookayee

4.Govindammal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent to take appropriate action on the first respondent letter in Oo.Mu.253253, dated 06.11.2022, within a time stipulated by this Court.



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For Petitioner : Mr.K.Gokul

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition is filed for issuance of a writ of mandamus directing the second respondent to take appropriate action on the letter of the first respondent, dated 06.11.2022, within a stipulated time.

2. In the representation of the petitioner dated 07.11.2022, he has stated that an extent of 1 Acre 28 Cents of land has been given in favour of the respondents 3 & 4 under UDR Scheme and that such assignment of land, which may be required for the public purpose, cannot be allowed. Therefore, the petitioner, in his representation, requested the District Collector, Pudukkottai District, to cancel the assignment of land in favour of the respondents 3 & 4.



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3. This Court finds that the “UDR Scheme” is not meant for assignment of land. Under the UDR Scheme, the Government issued directions for updating the revenue records with the change of land tenure or subsequent events or circumstances with specific instructions. No person can get allotment of land or assignment under the UDR Scheme. In the said circumstances, this Court is of the view that the petitioner indirectly challenges the Patta stands in the name of the respondents 3 & 4 as per the updated revenue records. Hence, this writ petition is wholly misconceived.

4. It is not the case of the petitioner that the revenue records prepared during UDR Scheme are not in consonance with the settlement records.

5. If the petitioner is aggrieved by the mutation or modification of revenue records, it is open to him to file an appeal before the Revenue Divisional Officer concerned for correction of the revenue records, under the Tamil Nadu Patta Passbook Act, 1983. However, he cannot seek cancellation of Patta granted in favour of the respondents 3 & 4, in a writ petition, without



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exhausting his statutory remedies. Even if there is error in records (A-Register) prepared during UDR, the petitioner can approach the District Revenue Officer, who is competent to correct errors during UDR (i.e. updating revenue records).

6. This writ petition is devoid of any merits and hence, dismissed.

No costs.

[S.S.S.R., J.]

[D.B.C., J.]

17.07.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The District Collector,
Pudukottai District.

2.The Tahsildar,
Tahsildar Office,
Pudukottai.



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