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W.P.(MD)NO.11244 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11244 of 2015 AND
M.P.(MD)No.1 of 2015

Rengasamy

... Petitioner

Vs.

1. The District Revenue Officer,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

3. Meiya Konar (died)

4. Thangaraj

5. Veerappan

6. Subban

7. Subramanian

8. Muthukaruppan

9.Muthukaruppan

10.Pandiselvi

11.Ramavathi

(R-10 & R-11 are impleaded vide order dated 29.08.2023
in W.M.P.(MD)No.7925 of 2017)

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent relating to the impugned order in Na.Ka.No.12251/14/D3 dated 08.05.2015 and quash the same.

For Petitioner : Mr.D.Rameshkumar
For R-1 & R-2 : Mr.S.Ra.Ramachandran,
Additional Government Pleader
For R-3 : Mr.R.Paranjothi
For R-4, R-6&
R-8 : Mr.M.Karunanithi
For R-5 : No appearance.
For R-10&R-11 : M/s.A.Arul Jenifer

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the official respondents and the learned counsel appearing for the private respondents.

2. The writ petitioner Rengasamy and Meiya Konar, the third respondent herein are the sons of Renga Konar. The



property comprised in survey No.736 in Perungudi Village, Thirumayam Taluk stood in the joint names of Renga Konar and others. Renga Konar passed away. There was partition between Rengasamy and Meiya Konar. As per the partition deed, Meiya Konar was allotted 90 cents. While Rengasamy was allotted 1 acre and 10 cents. However during UDR, the name of Meiya Konar was not included. The revenue record reflected the names of Rengasamy and others. Aggrieved by the same, Meiya Konar filed revision before the District Revenue Officer, Pudukkottai.

3. It is well settled that an error committed during UDR can be set right at any point of time and there is no limitation. Notice was issued to all the interested persons. The learned counsel appearing for the sixth respondent brought to my notice that the enquiry notice dated 03.12.2014 was issued to all the persons concerned. The petitioner did not file any counter in the proceedings. After obtaining report from the jurisdictional Tahsildar, the impugned order came to be passed. The District Revenue Officer, Pudukkottai ordered to include the name of Meiya Konar along with the petitioner in the revenue record.



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4. During the pendency of the writ petition, Meiya Konar passed away and his legal heirs have been brought on record. The order passed by the District Revenue Officer does not warrant any interference. No convincing reason has been set out in the affidavit filed in support of the writ petition. The learned counsel appearing for the petitioner harped on the fact that the petitioner was issued only one notice. I fail to understand what more the authority can do. The petitioner was given an opportunity. I am satisfied that the first respondent had correctly approached the issue. No interference is warranted. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

15.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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To:

1. The District Revenue Officer,
Pudukkottai District,
Pudukkottai.
2. The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.



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G.R.SWAMINATHAN,J.

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