



W.P(MD)No.26079 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26079 of 2023

and

W.M.P(MD)No.22435 of 2023

K.Vijayalakshmi

... Petitioner

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Madurai District.

4.M.Shivapandi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to cancel the Patta Nos.1043 and No.1034 situated Survey



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Nos.17/2T1 and 17/2T2, Pullaneri Village, Usilampatti Taluk, Madurai District on the guise of the petitioner's representation dated 05.10.2023 as expeditiously as possible.

For Petitioner : Mr.N.Balasubramanian
For Respondents : Mr.M.Prakash
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3. Considering the nature of relief to be granted, issuance of notice to the fourth respondent is dispensed with.

2. The petitioner seeks cancellation of the patta issued in favour of the fourth respondent Sivapandi.

3. It is clarified by the officials that in the UDR, the name of one Rathinam is mentioned. After the demise of Rathinam, his son Maruthupandi got patta. Maruthupandi executed settlement deed in



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favour of Sivapandi. That is how patta came to be issued in favour of Sivapandi.

4. The stand of the official respondents is that issuance of patta is based on UDR entry. Therefore, the petitioner has to move the District Revenue Officer for correcting the UDR. So long as the UDR entry remains what it is, patta has to necessarily stand in the name of the fourth respondent. I sustain the stand taken by the official respondents.

5. The petitioner is given liberty to move the District Revenue Officer, Madurai. If any such petition is filed by the petitioner before the District Revenue Officer, Madurai, the same shall be disposed of on merits and in accordance with law within a period of four months thereafter. The District Revenue Officer, Madurai has to necessarily issue notice to Sivapandi and other interested persons if any before passing final order. I make it clear that I have not gone into the merits of the matter.



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6. This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Madurai District.

Copy to:

The District Revenue Officer,
Madurai.



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G.R.SWAMINATHAN, J.

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