



WEB COPY

W.P. No.1053 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.1053 of 2024

S.T.Sankar

... Petitioner

Vs.

1. The District Collector
First Floor, Collectorate
Tiruvallur District - 602 001
2. The Revenue Divisional Officer
Kasinathanpuram, Tiruthani
Tiruvallur District - 631 209
3. The Tahsildar
Pallupattu Road,
Pallipattu,
Tiruvallur District - 631 207
4. The Revenue Inspector
Podaturpettai, Pallipattu Taluk,
Tiruvallur District - 631 208
5. The Village Administrative Officer
Podaturpettai, Pallipattu Taluk,
Tiruvallur District - 631 208

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records related to the impugned order passed by the 3rd respondent on 20.12.2023 in Na.Ka. No.20/2023 and quash the same and consequently direct the 2nd respondent



to join petitioner's name and petitioner's coparceners name in the UDR Patta No.320 in the Old Survey No.72/13B1 and New Survey No.187/1A and to rescind the Patta No.708 in Survey No.187/1B, Patta No.794 in Survey No.187/1A, Patta No.711 in Survey No.187/1A2A and Patta No.833 in Survey No.187/1A2B.

For Petitioner : Mr.S.Naveenha Devi

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a Writ of Certiorarified Mandamus to call for the records related to the impugned order passed by the 3rd respondent on 20.12.2023 in Na.Ka. No.20/2023 and quash the same and consequently direct the 2nd respondent to join petitioner's name and petitioner's coparceners name in the UDR Patta No.320 in the Old Survey No.72/13B1 and New Survey No.187/1A and to rescind the Patta No.708 in Survey No.187/1B, Patta No.794 in Survey No.187/1A, Patta No.711 in Survey No.187/1A2A and Patta No.833 in Survey No.187/1A2B.



2. Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader

takes notice for the respondents.

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3. The learned counsel for the petitioner submitted that originally the subject property belongs to the petitioner's forefather. Though the patta issued in the name of the father of the petitioner, in the said patta the petitioner's name is not mentioned and his forefather's name is also not mentioned. Therefore, the petitioner made an application before the 1st respondent and subsequently, the same was forwarded to the other respondents. Thereafter, the 4th respondent inspected the property and filed his report. Based on his report, the 3rd respondent sent a report to the 2nd respondent. However, the 2nd respondent has not passed any order. The contention of the petitioner is that already the 3rd respondent had sent a recommendation to the 2nd respondent to include the name of the petitioner and his forefather. However, the 2nd respondent has not implemented the same. Now the 3rd respondent has again sent draft letter to the 2nd respondent. Hence, the same has to be quashed.

4. A perusal of the impugned letter shows that the Tahsildar/3rd respondent has only made an endorsement that a draft letter has been sent to



the Revenue Divisional Officer/R2. But the said draft letter has not been produced by the petitioner. Therefore, without ascertaining the contents in the said letter, the petitioner has filed the present writ petition to quash the letter sent by the 3rd respondent. The petitioner states that the said draft letter was not served to him. However, so far the 2nd respondent has not passed any final order. Under these circumstances, the petitioner is not entitled to the relief sought for in this writ petition. However, the petitioner is directed to work out his remedy in the manner known to law.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

18.01.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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