



W.P.No.19923 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.19923 of 2020

Muniappa

... Petitioner

Vs

1. The District Revenue Officer,
Krishnagiri District, Krishnagiri.

2. Thimmarayappa

3. Muni Nanjappa

4. Ramesh

5. Pappama

6. Muniraj

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the Impugned Proceedings dated 07.11.2020 passed in Pa.Mu.16592/2019/J2 on the file of the 1st Respondent herein quash the same and consequently direct the 1st Respondent herein to rectify the error occurred under the UDR Scheme.



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For Petitioner : Mr.Govi Ganesan

For Respondents : Mr.P.Sathish,
Additional Government Pleader – R1

Mr.r.Bharath Kumar – R2 to R6

ORDER

This Writ Petition has been filed to quash the Impugned Proceedings dated 07.11.2020 passed in Pa.Mu.16592/2019/J2 on the file of the first respondent and consequently direct the first Respondent to rectify the error occurred under the UDR Scheme.

2. Heard Mr.K.Fovi Ganesan, learned counsel appearing for the writ petitioner, Mr.P.Sathish, learned Additional Government Pleader appearing for the first respondent and Mr.r.Bharathkumar, learned counsel appearing for the respondents 2 to 6.

3. The main grievance of the writ petitioner is that prior to UDR, an extent of 14.90 acres were in the name of the ancestors of the writ petitioner. However, thereafter, during UDR, the names of the private



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respondents have been included. It is the specific grievance of the writ petitioner that the third party names, who have no right over the property, have been included in the UDR. Hence, to rectify such mistake an application has been made to the first respondent and the first respondent, by an Order dated 07.01.2020 has rejected the application of the petitioner and directed the parties to go to the Civil Court. Challenging the same, the present Writ Petition has been filed.

4. I have perused entire records. The District Revenue Officer has in fact conducted thorough enquiry and after perusing the revenue records and recording statement of witnesses had passed the impugned Order to the effect that the disputed facts of both sides could be resolved only by the Civil Court. As per the Order of the District Revenue Officer, even prior to UDR, some of the third party names are in the revenue records. Whether they have any title over the property or not has to be seen in a trial and not by the revenue authorities. In such view of the matter, I do not find any infirmity in the Order rejecting the application of the petitioner. If the petitioner is advised, his remedy is to



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file an appropriate civil suit for declaration of his title as per law.

5. Accordingly, this Writ Petition is dismissed of. No costs.

02.04.2024

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

The District Revenue Officer,
Krishnagiri District, Krishnagiri.



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N.SATHISH KUMAR, J.

VTC

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