



W.P.No.22116 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22116 of 2024

M.Murugesan

...Petitioner

Vs.

1. The Commissioner
Land Administration
Chepauk, Chennai-600 005.

2. The Assistant Settlement Officer (ASO North)
Survey and Settlement Department
Survey House,
Chepauk, Chennai-600 005.

3.The District Collector
Kallakurichi District
Kallakurichi.

4.The District Revenue Officer
Kallakurichi District
VOC Nagar
Kallakurichi-606 202.

5.Patchamuthu
6.Chidambaram

..Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass necessary orders on the representation dated 18.12.2023 made by the petitioner to the respondents to cancel UDR Patta No.110 and Patta Nos.1304 and 1305 and to issue separate patta to the petitioner in respect of S.No134/10-0.08 cents in Thangathirthapuram Village, Chinnasalam Taluk, Kallakurichi District.

For Petitioner : Mr.L.Muthusamy
For Respondents 1 to 4 : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to 1st respondent to consider his representation dated 18.12.2023 and cancel the UDR patta in Patta Nos.110, 1304 and 1305 issued to the respondents 5 and 6 and also to issue separate patta for the petitioner in respect of Survey No.134/10 with an extent of 0.08 cents situated in Thangathirthapuram Village, Chinnasalam Taluk, Kallakurichi District.

2. According to the petitioner, his father Manickam purchased 0.08 cents of land situated in Survey No.134/10 under registered sale deed dated



21.02.1958 and after his death, the petitioner and his siblings have been in possession and enjoyment of the same. It is the specific case of the petitioner that respondents 5 and 6, by producing invalid documents, obtained UDR patta in their name. Therefore, the petitioner seeks cancellation of the patta issued in the name of respondents 5 and 6 and issue of separate patta in his name for the above mentioned land.

3. The learned Special Government Pleader appearing for the respondents 1 to 4 would submit that the representation of the petitioner would be considered on its own merits.

4. Though the petitioner seeks a positive prayer to cancel the UDR patta issued in favour of respondents 5 and 6 and issuance of separate patta in his name, this Court is not inclined to conduct any roving enquiry and issue any positive direction. However, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 3rd respondent to forward the representation of the petitioner to the jurisdictional Tahsildar and he shall consider the representation of the petitioner and pass appropriate orders on



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merits after giving sufficient opportunity to the petitioner as well as respondents 5 and 6 and other interested parties within a period of eight weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

07.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To

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4/5



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S.SOUNTHAR, J.
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