



WEB COPY



W.P.No.33610 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.33610 of 2024

S.Vijaya Kumar

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District.
2. The District Revenue Officer,
Dharmapuri District.
3. The Revenue Divisional Officer,
Dharmapuri.
4. The Thasildar,
Karimangalam Taluk,
Dharmapuri District.
5. The Tamil Nadu Boodhan Board,
Chepauk,
Chennai – 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 2nd Respondent to dispose of the representation dated 20.07.2024 given by the petitioner for correction of UDR patta.



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For Petitioner : Mr.M.Ravi

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

Mr.R.P.Murugan Raja, learned Government Advocate takes notice on behalf of the Respondents.

2. This Writ Petition has been filed for a Mandamus to direct the 2nd Respondent to dispose of the representation dated 20.07.2024 given by the petitioner for correction of UDR patta.

3. The Petitioner would submit that his father late Shanmugam was in possession and enjoyment of the property measuring to an extent of 7.50 acres comprised in Irumathur Gramma Survey No.252/2. After the demise of the Petitioner's father, the Petitioner has been cultivating the subject property. It appears that even as early as in 1965, the land has been taken as Boomithanam land though no document has been executed by the Petitioner's father in favour of the Tamil Nadu Boodhan Board. The encumbrance



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certificate and patta reflects the name of the Tamil Nadu Boodhan Board.

Patta No.520 shows only the name of the Board. The Petitioner therefore sought for cancellation of the Patta and for updating the UDR Patta in the name of the legal representative of the Petitioner's father late Shanmugam. The Petitioner had submitted all the documents to the 1st Respondent Office. The Petitioner would further submit that on 03.09.1987 his father had executed a Sale Deed for an extent of 1.40 acres in the aforesaid Survey numbers and thereafter, no other document has been executed in favour of any other persons and the lands continued to remain with the family. The Petitioner has submitted his representation on 20.07.2024 to the 2nd Respondent and the 2nd Respondent has not issued any notice of enquiry to date. Aggrieved by the same, the Petitioner has filed the above Writ Petition.

4. Heard the learned counsel on either side.

5. The Petitioner has questioned the unilateral change of Patta in the name of the Tamil Nadu Bhoodan Movement and has also sought for a correction in the UDR Patta. The application has been submitted on 20.07.2024, therefore taking note of the fact that the 2nd Respondent has not



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even issued a notice of enquiry, a mandamus is issued to the 2nd Respondent to consider the Petitioner's representation dated 20.07.2024 and pass appropriate orders on merits and in accordance with law, after issuing notice to the Petitioner and the Board and also affording them an opportunity of personal hearing, within a period of twelve (12) weeks from the date of receipt of a copy of this Order. No costs.

19.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
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