



WEB COPY

W.P. No.2396 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.2396 of 2024 and
W.M.P. No.2597 and 2598 of 2024

1. R.Duraisamy
2. Johny Jose
3. Arulmarry
4. K.S.Yesudass
5. Clara Madhalai Mary
6. Arban Fernandez
7. John Paulraj

... Petitioners

Vs.

1. The District Collector
Collectorate, Krihnagiri - 635155
2. The District Revenue Officer
Collectorate, Krihnagiri - 635155
3. The Revenue Divisional Officer
Krishnagiri - 635 001
4. The Tahsildar
Bargur, Bargur Taluk
Krishnagiri District

5. Anthony

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certified Mandamus to call for the records of the order of the 2nd respondent namely the District Revenue Officer, Krishnagiri dated 10.07.2023 in reference Pa.Mu.27033/2020/J1 and quash the same and



consequently, direct the respondents 1 to 4 to rectify the entries wrongly made in respect of S.Nos.386/4 and 386/7 in Patta No.1003, Orappam Village, Bargur Taluk, Krishnagiri District within time to be stipulated by this Court.

For Petitioners : Mr.V.Nicholas

For R1 to R4 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition is filed seeking a Writ of Certified Mandamus to call for the records of the order of the 2nd respondent, namely the District Revenue Officer, Krishnagiri dated 10.07.2023 in reference No.Pa.Mu.27033/2020/J1 and quash the same and consequently, direct the respondents 1 to 4 to rectify the entries wrongly made in respect of S.Nos.386/4 and 386/7 in Patta No.1003, Orappam Village, Bargur Taluk, Krishnagiri District within time to be stipulated by this Court.

2. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 to 4. Since no adverse order is to be passed against the 5th respondent, notice to the 5th respondent is dispensed with.

3. It is the case of the petitioners that he submitted a petition dated 09.02.2016 stating that at the time of UDR scheme, the extent in S.Nos.386/7 and 386/3, Orappam Village, Bargur Taluk, Krishnagiri District has been



wrongly stated and hence, the Revenue Authorities directed the petitioner to approach the Civil Court to decide the title. Further, the fifth respondent earlier filed W.P.No.8610 of 2021 challenging the order of the DRO, Krishnagiri dated 07.08.2020 and this Court, by order dated 14.07.2022, set aside the order of the DRO and remitted the matter back for fresh consideration holding that the DRO should consider the report of the Tahsildar, dated 03.05.2018 and after giving opportunity to the parties, this Court directed to pass orders on merits and in accordance with law. In spite of the said order of this Court, the report of the Tahsildar has not been considered by the DRO while passing the impugned order.

4. Heard both sides and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case, this Court directs the District Revenue Officer/2nd respondent to get the report from the Tahsildar/4th respondent and consider the same and pass appropriate orders on merits and in accordance with law and if the District Revenue Officer passed any adverse order, the petitioner is at liberty to challenge the same.

6. With the above direction, this Writ Petition is disposed of at the admission stage itself. Consequently, connected Miscellaneous Petition in W.M.P. No.2598 of 2024 is closed. W.M.P. No.2597 of 2024 is ordered



subject to payment of separate Court fee by the other writ petitioners. There shall be no order as to costs.

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05.02.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

Ksa-2

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