



WEB COPY



WP.No.33460 of 2024

In the High Court of Judicature at Madras

Dated : 18.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.33460 of 2024

S.Balamurugan

...Petitioner

Vs

1.The District Collector, Namakkal
District, Namakkal.

2.The District Revenue Officer,
Namakkal District, Revenue
Office Complex, Namakkal.

3.The Tahsildar, Senthamangalam
Taluk, Namakkal District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's representation dated 19.8.2024 in accordance with law.

For Petitioner : Mr.K.N.Nataraj
For Respondents : Mr.S.Jayachandran, GA

ORDER

The writ petition has been filed seeking a direction to the second



WP.No.33460 of 2024

respondent to consider and dispose of the petitioner's representation dated 19.8.2024 in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondents.

3. The petitioner would submit that the property comprised in S.No.368/2 measuring 1.75 acres in Thuthikulam Village, Sendhamangalam Taluk, Namakkal District belonged to one Ms.Arockiammal. She sold the said property to one Mr.Ramasamy Reddiar - grandfather of the petitioner under a registered sale deed dated 18.11.1958. The said Mr.Ramasamy Reddiar leased out the said property to one Mr.Varadaraja Reddiar for cultivation under a registered lease deed dated 24.8.1959 for a period of 11 months. After expiry of the said lease period, the said Mr.Ramasamy Reddiar was cultivating the lands. One Mr.Nallappa Reddiar owned the adjacent lands. The said Mr.Ramasamy Reddiar as well as the said Mr.Nallappa Reddiar had a common pathway, through which, they had ingress and egress to their respective lands and a cart track.

4. In order to have a record of this arrangement, the said Mr.Nallappa Reddiar and the said Mr.Ramasamy Reddiar entered into



WP.No.33460 of 2024

an arrangement and executed a partition deed dated 08.7.1960, by which, A schedule property was allotted to the share of the said Mr.Nallappa Reddiar and B schedule property measuring 1.55 acres in S.No.368/2 at Thuthikulam Village was allotted to the share of the said Mr.Ramasamy Reddiar. Thereafter, they have been in exclusive possession and enjoyment of the same. After the death of the said Mr.Ramasamy Reddiar intestate on 22.6.2001, his legal heirs were in possession and enjoyment of the subject property by cultivating crops therein.

5. The petitioner would further submit that he is the legal heir of the said Mr.Ramasamy Reddiar. The third parties, who had purchased the lands from the said Mr.Nallappa Reddiar, under the guise of measuring the land, attempted to encroach into the petitioner's land. The petitioner has sought for the revenue records such as adangal, chitta, patta and A register extract to prove his right to the subject property and also the field measurement book. However, though the request was made on 05.2.2024 by way of a representation to the first respondent, there was no progress and hence, earlier, the petitioner filed W.P.No.8041 of 2024 and it was disposed of on 27.3.2024. Pursuant to the orders passed by this Court, the third respondent summoned the petitioner for an inquiry. After considering the



WP.No.33460 of 2024

materials, the third respondent passed an order dated 26.7.2024 recommending that the petitioner can approach the second respondent for amending the UDR patta.

6. In the meantime, the petitioner sent a representation dated 08.7.2024 to the second respondent. Since there was no progress, yet another representation dated 19.8.2024 has been sent to the second respondent for effecting corrections in the UDR patta. Since the same has not yet been considered, the petitioner is before this Court.

7. In this writ petition, the petitioner seeks disposal of his representation dated 19.8.2024 for carrying out necessary corrections in the UDR patta. It appears that some third parties are also attempting to create an interest in the subject property.

8. Hence, the writ petition is allowed and a Mandamus is issued to the second respondent to consider and pass orders on the petitioner's representation dated 19.8.2024 within a period of eight weeks from the date of receipt of a copy of this order. No costs.

18.11.2024



WEB COPY



WP.No.33460 of 2024



WEB COPY



WP.No.33460 of 2024

P.T.ASHA,J

RS

To

- 1.The District Collector, Namakkal District, Namakkal.
- 2.The District Revenue Officer, Namakkal District, Revenue Office Complex, Namakkal.
- 3.The Tahsildar, Senthamangalam Taluk, Namakkal District.

WP.No.33460 of 2024

18.11.2024