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W.P.No.37148 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM

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

W.P.No.37148 of 2024

B.K.Prabhakar

... Petitioner

Vs.

1. The District Revenue Officer,
The District Revenue Office,
Krishnagiri – 635 115.

2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Hosur – 635 109,
Krishnagiri District.

3. The Tahsildar,
Hosur Taluk,
Hosur – 635 117,
Krishnagiri District.

4. Karappa

5. Sandukan @ Madhanagirikan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 1st Respondent herein to consider my representation dated 08.04.2022 for rectification of the errors in



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the patta which was wrongly issued in favour of the 4th and 5th respondents during UDR Scheme and to issue a separate patta in my favour for the land in S.F.No.26/1C measuring to an extent of 0.17.5 hectare (43.22 cents) and in S.F.No.26/1D measuring to an extent of 0.18.0 hectare (44.40 cents) situated at Motham Agraharam Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.K.Govi Ganesan

For R1 to R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of the Respondents 1 to 3.

2. The Petitioner has approached this Court seeking a Mandamus directing the 1st Respondent to consider the representation of the Petitioner dated 08.04.2022 for rectifying the defects in the Patta which has been wrongly issued in favour of the 4th and 5th Respondents during the UDR Scheme and to issue separate Patta in favour of the Petitioner in S.F.No.26/1C and S.F.No.26/1D situated at Motham Agraharam Village, Hosur Taluk, Krishnagiri District .



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3. The case of the Petitioner is that the land measuring an extent of 0.98 acres comprised in S.F.No.26/1 and S.F.No.26/2 situated at Motham Agraharam Village, Hosur Taluk, Krishnagiri District belonged to the Petitioner's grandfather namely Annaiya Chettay @ Narayana Chetty, who had purchased the subject property from one Pethakaran under a registered Sale Deed dated 23.06.1930. After the demise of the Petitioner's grandfather the Petitioner's father succeeded to the property and was in possession and enjoyment of the same since then. After his demise, the Petitioner succeeded to the property. The Petitioner would submit that during Updating of the Registry Scheme (UDR) without notice to the Petitioner, the Patta in respect of the property comprised in S.F.No.26/1C measuring an extent of 0.17.5 hectares (43.22 cents) and in S.F.No.26/1D measuring an extent of 0.18.0 hectare (44.40 cents) were wrongly mutated in the name of the Respondents 3 and 4 and Patta in favour of the said properties has also issued to them in Patta Nos.80 and 12. The Petitioner would submit that Respondents 3 and 4 are in no way connected to the Property. On coming to know about the same, the Petitioner had made a representation as early as on 08.04.2022 which representation is of correction of the Patta and which



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representation has not been considered to date. Therefore, the Petitioner is before this Court.

4. On hearing the counsel on either side and examining the documents it is clear that the 1st Respondent has failed to perform his statutory duty in disposing of the Petitioner's request. Therefore, the Writ Petition is allowed by directing the 1st Respondent to consider the representation of the Petitioner dated 08.04.2022, hold an enquiry after issuing notice to the Petitioner as well as the Respondents 3 and 4, consider the objections submitted by them if any and thereafter, pass a Speaking Orders after giving them an opportunity of personal hearing. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this Order. No costs.

13.12.2024

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