



W.P(MD)No.7889 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD).No.7889 of 2024

K.Saravana Ganesh

... Petitioner

Vs

1. The District Collector,
Office of District Collectorate,
Dindigul District.

2. The District Revenue Officer,
Office of District Revenue Officer,
Dindigul District.

3. The Revenue Division Officer,
Revenue Division Office,
Dindigul District.

4. The Tahsildar,
O/o. Tahsildar,
Nilakottai Taluk,
Dindigul District.

5. The Divisional Engineer (Highway Dept),
Construction and Maintenance,
Near to Saint Joseph Hospital,
Dindigul,
Dindigul District 624 001.



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6. The Assistant Divisional Engineer (Highway Dept),
Construction and Maintenance,
Periyakulam Road,
Batalagundu (Po),
Nilakottai Taluk,
Dindigul District 624 202.

7. The Assistant Engineer (Highway Dept),
Construction and Maintenance,
Kodairoad (Po), Nilakottai Taluk,
Dindigul District 624 206.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent no. 2 to cancel the wrong entries made in the UDR Patta and subsequently grant patta in the name of the petitioner for the properties in new Survey no. 474/1 (Old Survey no. .99), measuring 35 x 72, situated at Panchayat Street, Kodaikanal Road-Anaipatt Road Junction, Natarajapuram Main Road, Nilakottai Town, Nilakottai Taluk, Dindigul District within a time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel

For Respondents : Mr.T.Villavankodhai
Additional Government Pleader



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ORDER

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Heard both sides.

2.The learned Senior Counsel for the petitioner points out that the petitioner's predecessor in title, namely, kanniyappan filed a suit in O.S.No. 90/2007, on the file of the learned District Munsif, Nilakottai and obtained decree of mandatory injunction for issuance of patta. The District Collector, Dindigul as well as other authorities were shown as defendants. The decree passed by the trial Court on 09.06.2014 was confirmed by the first Appellate Court in A.S.No.7/2022 on 08.11.2022. It is submitted that even thereafter, the revenue record continues to reflect the classification of the land as "highways". The said Kanniappan is said to have executed a will on 19.06.1987 in favour of Karruppaiyah, who is the father of the petitioner. The petitioner has given a representation before the District Revenue Officer, Dindigul District, for re-classification and issuance of patta in respect of the petition mentioned property. All that the petitioner wants to do is disposal of the same.



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3.The second respondent is directed to conduct enquiry. The petitioner shall appear before the second respondent on 06.05.2024 at 03.00 p.m and place all the materials, which he has in support of his contention. The second respondent will peruse all the relevant records and pass final order on merits and in accordance with law, within a period of two months thereafter.

4.With the above direction, this writ petition is disposed of. No Costs.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
LR

To

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Office of District Revenue Officer,
Dindigul District.

3. The Revenue Division Officer,
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G.R.SWAMINATHAN, J.

LR

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