



W.P(MD)No.14614 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14614 of 2020

and

W.M.P(MD)Nos.12270 & 12277 of 2020 & 22726 of 2023

Kaleb

... Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District.
- 2.The District Revenue Officer,
Tirunelveli District.
- 3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.
- 4.Dharmaraj
- 5.Baghath Singh Mohammed
***(R.5 is impleaded vide order of
this Court dated 04.01.2024 in
W.M.P(MD)No.3900 of 2022)***

... Respondents



W.P(MD)No.14614 of 2020

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order issued by the second respondent in Pa.Mu.Ka2/14524/2020 signed on 29.09.2020 and quash the same and consequently direct the second respondent to revive the sub - division of the petitioner's property as Survey No. 413/1, Pathai Village, Kalakkadu, Nanguneri Taluk, Tirunelveli District in the name of the petitioner's father Samikannu, S/o.Joseph Nadar as sub- divisioned at the time of invoking UDR Scheme.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1 to R.3
Mr.C.K.M.Appaji for R.5
No Appearance for R.4

ORDER

Heard both sides.

2.By the impugned order dated 29.09.2020, the District Revenue Officer, Tirunelveli had directed deletion of the petitioner's father's name from the revenue record and substituting the name of the fourth respondent temple in respect of the petition mentioned property.



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3. According to the learned Additional Government Pleader, an error took place during UDR and that is how the petitioner's father's name was entered in the revenue record. It is further contended by the respondents that prior to UDR, the petitioner's father's name did not appear in the patta.

4. I do not want to go into the factual aspects. The fact remains that O.S.No.92 of 2019 had already been filed in the Additional District Munsif Court, Nanguneri by the petitioner and others for suit for declaration. Therefore, the petitioner can very well pursue his remedy in the said suit. The impugned order will abide by the outcome of the said suit. I make it clear that I have not gone into the merits of the matter.

5. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.01.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

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G.R.SWAMINATHAN, J.

MGA

To

- 1.The District Collector,
Tirunelveli District.
- 2.The District Revenue Officer,
Tirunelveli District.
- 3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

Copy to

The Additional District Munsif Court,
Nanguneri.

W.P(MD)No.14614 of 2020
and

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12.01.2024