



W.P.(MD) No.19961 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.19961 of 2024

V.Anthoniammal

.. Petitioner

Vs.

1.The District Revenue Officer,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Sivakasi Town,
Virudhunagar District.

3.The Tahsildar,
Taluk Office,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent herein to consider and pass orders on the petition, dated 18.08.2022 submitted by the petitioner which was given to rectify the mistake committed during UDR within a stipulated period of time to be fixed by this Court.



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For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The petitioner has given a representation as early as on 18.08.2022 to rectify the mistake committed during the UDR in respect of the land measuring an extent of 51 cents out of 1 acre 54 cents in Survey No. 359/2 and 43 centss out of 86 cents in Survey No.382 in Athikulam Sengulam Village, Chithalamuthur, Srivilliputhur Taluk.

2. The petitioner would submit that the lands were purchased by her deceased husband under a registered sale deed, dated 20.07.1988 and 09.11.2000. Her husband had died intestate on 11.01.2011 leaving behind the petitioner, her sons and daughters.

3. While this being so, the process of acquiring the land for forming the Madurai to Kollam four-way lane was under process by the National Highways Department. The notification was published in the



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daily newspaper on 10.10.2020 for the purpose of widening and forming the four lane in the Thirumangalam – Rajapalayam – Shengottai section. Immediately, on coming to know about the above proceedings, the petitioner has verified the records and to her surprise, it was found that in the acquisition notice, the lands measuring an extent of 0.16.0 Hectares in Survey No.359/2B1A1, 0.90.0 Hectares in Survey No.382/1A and 0.17.0 Hectares in Survey No.382/3 stood in the name of one Kothaiammal, her sons and daughters, namely Vaiyapuri, Perumal and Ulagamatha. Patta has been wrongly mutated in their name and they have been included into the petitioner's properties.

4. The representation was therefore sent on 08.08.2022. Pursuant to the same, the 2nd respondent had directed the 3rd respondent vide letter, dated 06.02.2023 to conduct an enquiry and to send a report to the 2nd respondent. The 3rd respondent in turn had directed the Village Administrative Officer, Athikulam Sengulam village to obtain a statement from the petitioner as well as from the persons in whose name patta was wrongly issued. Pursuant to the same, the Village



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Administrative Officer had obtained a statement and submitted a detailed report to the 3rd respondent on 29.12.2023. Thereafter, the 3rd respondent in turn had sent a detailed report to the 2nd respondent. Despite receiving the same, the 2nd respondent has not passed any order on the petitioner's representation. Hence, the petitioner has submitted a petition to the 1st respondent on 01.08.2023, who in turn had forwarded the same to the 3rd respondent. However, to date, there has been no response. Therefore, the petitioner is before this Court.

5. Considering the fact that the 3rd respondent has already submitted a detailed report to the 2nd respondent, this Court directs the 1st respondent to consider the representation of the petitioner, dated 18.08.2022 and pass orders after affording an opportunity to the rival parties and giving them a personal hearing. The said exercise shall be completed within a period of three (3) weeks from the date of receipt of copy of this order.



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6. With the above direction, this Writ Petition stands allowed. No costs.

21.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

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P.T.ASHA, J.

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