



W.P(MD)No.13632 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.13632 of 2018

and

W.M.P(MD)No.12401 of 2018

V.Pandiarajan

... Petitioner

Vs

1.The District Revenue Officer cum
Additional District Magistrate,
O/o.The District Collector Campus,
Madurai District,
Madurai.

2.The Tahsildar,
East Taluk Office,
Madurai District.

3.The Block Development Officer,
Madurai East Panchayat Union,
Chockikulam,
Madurai.

4.S.Yogarajan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Ne.Mu.No.10359/2018/Gi 5 dated 29.05.2018 and quash the same and consequently direct the respondents do not interfere with the petitioner's peaceful possession and enjoyment of the petitioner's property with regard



W.P(MD)No.13632 of 2018

to Survey Nos.73/17 and 73/67 situated Ilangiendal Village,
Madurai East Taluk, Madurai District.

For Petitioner : Mr.G.Gomathisankar

For RR 1 to 3 : Mr.M.Senthil Ayyanar

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 29.05.2018 thereby rejected the request made by the petitioner to change UDR correction in the UDR register.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the petitioner is that the petitioner owned land comprised in Survey Nos.73/17 and 73/67 situated at Ilangiendal Village, Madurai East Taluk, Madurai District. Some portion of the land has been encroached in the street. The street is located in Survey No.73/21. Further, the case of the petitioner is that some portion of the land has been included in Survey No.



W.P(MD)No.13632 of 2018

73/21. As directed by this Court, the first respondent conducted a detailed enquiry and found from the revenue records that the land comprised in Survey No.73/21 is classified as Grama Natham and remarked as a street. Therefore if at all any land is encroached or used by the general public as a street, the petitioner has to prove that there is some encroachment for which he has to survey his land in the manner known to law. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent dated 29.05.2018 and the Writ Petition is devoid of merits and the same is liable to be dismissed.

4. Accordingly, this Writ Petition is dismissed. The petitioner is at liberty to apply for survey of his land in the manner known to law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

20.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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W.P(MD)No.13632 of 2018

To

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W.P(MD)No.13632 of 2018

G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.13632 of 2018

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