



W.P.(MD)No.4436 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.4436 of 2017

P.Saravanan

...Petitioner

-Vs-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Thasildar,
Aattur Taluk,
Aattur,
Dindigul District.

3.The District Revenue Officer,
Dindigul

...Respondents

[R3 is suo motu impleaded vide order dated 05.07.2024]

PRAYER: Writ Petition are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 2nd Respondent to rectify the mistake and issue a Patta in favour of the Petitioner's family members in Survey No. 99/5 and extent of 77 Cents situates at Kalikkampatti Village, Aattur Taluk, Dindigul District and consider the Petitioner's representation dated 22.2.2017 within the time frame that may be stipulated by this Court.



W.P.(MD)No.4436 of 2017

For Petitioner : No Appearance
For Respondent : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed to direct the 2nd Respondent to rectify the mistake and issue a Patta in favour of the Petitioner's family members in Survey No. 99/5 an extent of 77 cents situated at Kalikkampatti Village, Aattur Taluk, Dindigul District by considering the Petitioner's representation dated 22.2.2017 within the time frame that may be stipulated by this Court.

2.The case of the petitioner is that the land in Survey No.99/5 measuring an extent of 77 cents at Kalikkampatti Village, Aattur Taluk, Dindigul District, was entered in the petitioner's father's name in the 'A' register. However, during UDR exercise, an extent of 77 cents out of 1.5 acres of land in the said survey number has been entered in the name of one Alagammal on 10.09.2016 and patta was also issued in her name. Hence, the petitioner has given a representation to the second respondent on 22.02.2017 to rectify the said mistake.



W.P.(MD)No.4436 of 2017

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3.The writ petition is opposed by the learned Special Government Pleader for the respondents stating that the petitioner has not impleaded the said Alagammal, in whose name, the patta was issued under UDR settlement on 10.09.2016. That apart, it is submitted that the petitioner ought to have made a representation to the District Revenue Officer, who is responsible in terms of G.O.Ms.No.385, Revenue Department, dated 17.08.2021 for rectification of any mistakes in the pattas. It is further submitted that the writ petition is premature and the remedy is sought for as against the wrong official, that is the second respondent, who had issued patta to the said Alagammal on 10.09.2016.

4.Having considered the submission of the learned Special Government Pleader for the respondents, this Court is inclined to dispose of this writ petition partly in favour of the petitioner by impleading the District Revenue Officer, Dindigul as third respondent.

5.Accordingly, the representation dated 22.02.2017 of the petitioner pending with the second respondent is directed to be forwarded to the third respondent by the second respondent. The



W.P.(MD)No.4436 of 2017

petitioner shall also additionally, file a copy of the same together with all the documents for the third respondent to consider the representation in terms of G.O.Ms.No.385, Revenue Department, dated 17.08.2004. It is needless to state that before passing further orders, notice shall be issued to the said Alagammal, to whom the patta was wrongly issued under UDR scheme and to any other interested parties.

6.This writ petition is disposed of with the aforesaid observations. No costs.

05.07.2024

Index : Yes/No

Internet : Yes/No

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To

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Dindigul District,
Dindigul.

2.The Thasildar,
Aattur Taluk,
Aattur,
Dindigul District.

3.The District Revenue Officer,
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W.P.(MD)No.4436 of 2017

C.SARAVANAN,J

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W.P.(MD)No.4436 of 2017

05.07.2024