



W.P.(MD) No.23230 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23230 of 2024

K.Sithan

.. Petitioner

Vs.

- 1.The District Revenue Officer,
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 2.The District Revenue Officer,
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 3.The Revenue Divisional Officer (North Taluk),
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 4.The Tahsildar (North Taluk),
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 5.Alagu Meena
- 6.Rajeshwaran



W.P.(MD) No.23230 of 2024

7.Ashok

8.Karthik

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to conduct a detailed enquiry based on the application sent by the petitioner on 14.08.2024 within the stipulated time period that may be fixed by this Court.

For Petitioner : Mr.Niranjan S. Kumar

For Respondents : Mr.D.S.Nedunchezhiyan
Government Advocate

ORDER

The petitioner has submitted an application before the second respondent for correcting an error that had crept in during the UDR conversion. He had approached the second respondent's office in person and on 14.08.2022 had sent a representation to respondents 2 and 3 to conduct the enquiry after giving notice to all interested persons and affording them an opportunity. However, the request has not been considered.



W.P.(MD) No.23230 of 2024

WEB COPY

2. The petitioner would submit that an extent of 72 cents in old S.No.235/8, new S.No.97/8, situate at Podhumbu Village, Madurai North Taluk, Madurai District, was purchased by his father under a registered sale deed dated 22.04.1971. The total extent in the said survey number was 1 Acre and 14 cents of which 72 cents was purchased by his father and 42 cents stood in the name of one Veeranan Servai, who is no more. The petitioner's father died in the year 1973 and the revenue records stand in the name of the petitioner and other legal heirs. The petitioner would submit that on account of his employment, he is permanently residing in Madurai and the other legal heirs are also not there in the village where the property is situate. Therefore, they had decided to alienate the property for which purpose, they had verified the patta and other revenue records. While so, they came to learn that the entire extent of 1 Acre and 14 Cents had been mutated in the name of the said Veeranan Servai in Patta No.443. Therefore, the above application has been submitted. To date, the same has not been considered. Hence, the present writ petition.



W.P.(MD) No.23230 of 2024

WEB COPY

3. Heard the learned counsel on either side.

4. Considering the case of the petitioner and taking into account the fact that the petitioner's father had purchased 72 cents from and out of this 1 Acre and 14 Cents by way of registered sale deed and also taking into account the fact that the petitioner is in possession of the same, the respondents are directed to consider the application of the petitioner after issuing notice to the legal representatives of Veeranan Servai, who the petitioner would state is no more and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is allowed. No costs.

30.09.2024

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

abr



WEB COPY



W.P.(MD) No.23230 of 2024

To

- 1.The District Revenue Officer,
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 2.The District Revenue Officer,
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 3.The Revenue Divisional Officer (North Taluk),
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.
- 4.The Tahsildar (North Taluk),
O/o. District Collector,
Collector Office Road,
Alwarpuram, Madurai-625 020.



WEB COPY



W.P.(MD) No.23230 of 2024

P.T.ASHA, J.

abr

W.P.(MD) No.23230 of 2024

Dated: 30.09.2024