



W.P.(MD)No.1648 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.1648 of 2025
and WMP(MD)No.1174 of 2025

Rajapandi

... Petitioner

Vs.

1. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
3. The Tahsildar,
Sivakasi Taluk Office,
Sivakasi,
Virudhunagar District.
4. Nedunchezian
5. Prasanth

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1 to 3rd Respondents herein to cancel the UDR patta stands on the name of the 4th and 5th respondents herein and issue the patta to the Petitioner with regard to property in Survey No.229/1 to an extent of 18 cents and Survey No.229/2 to an extent of 18 cents situated at Nedungulam Village, Sivakasi Taluk, Virudhunagar District based on his representation dated 02.12.2024



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For Petitioner : Mr.S.Mariselvam
For R1 to R3 : Mr.R.Ragavendran
Government Advocate

ORDER

The writ petition has been filed for a writ of mandamus directing the respondents 1 to 3 herein to cancel the UDR patta issued to the respondents 4 and 5 herein and consequently issue the patta to the petitioner with regard to property in Survey No.229/1, to an extent of 18 cents and Survey No.229/2 to an extent of 18 cents, situated at Nedungulam Village, Sivakasi Taluk, Virudhunagar District on the basis of the petitioner's representation dated 02.12.2024.

2. With consent of both parties, this writ petition is taken up for hearing at the admission stage itself.

3. The subject property belonged to the petitioner's great grandmother namely Muthu Rakku. After her demise, the property was owned by the petitioner's grand-father and after his demise, the petitioner's father was in possession and enjoyment. After demise of the petitioner's father, the petitioner, his mother and his sisters were in peaceful possession and enjoyment of the



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property. During UDR, patta was wrongly issued in favour of Koodalinga Thevar s/o Chinnamuthu Thevar, for the the entire extent including the petitioner's 18 cents though he was entitled to 42 cents in S.No.229/1, and 32 cents in S.No.229/2. After demise of Koodalinga Thevar, his son namely, the fourth respondent and his sister were in possession and enjoyment of the same. Even patta was transferred in favour of the fourth respondent. The fourth respondent appointed a power agent and sold the property in favour of the fifth respondent and patta was also transferred in his favour. The fifth respondent, on the basis of the patta, tried to take steps to measure the property. The petitioner came to know that patta was wrongly issued in favour of the respondents 4 and 5 for the entire property and so the petitioner gave a representation on 02.12.2024 to cancel UDR patta issued in favour of the respondents 4 and 5 and to issue patta in his favour with respect to 36 cents in S.Nos.229/1 and 229/2. As no action was initiated on the petitioner's representation, the petitioner filed the above writ petition for the aforesaid relief.

4. It is seen that the petitioner's representation for cancellation of patta issued in favour of the respondents 4 and 5 and issuance of patta in his favour is pending since 30.10.2024. Under the facts and circumstances of the case, I think it would be appropriate to direct the first respondent to consider the petitioner's representation. Accordingly, the first respondent is directed to consider the



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petitioner's representation dated 30.10.2024 and pass orders on merits and in accordance with law within the time line stipulated in the Circular dated 17.07.2023, of the Commissioner, Land Administration, Chennai. It is needless to state that the first respondent shall issue notice to all the interested persons and conduct enquiry and thereafter pass orders.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

22.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM

To:

1. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
3. The Tahsildar,
Sivakasi Taluk Office,



Sivakasi,
Virudhunagar District.

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N.MALA, J.

CM

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