



W.P.No.29973 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2026

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.29973 of 2024

G.PERAMAN@PERUMAL

...Petitioner

Vs.

1 THE DISTRICT COLLECTOR
OFFICE OF COLLECTORATE
DHARMAPURI DISTRICT.

2 THE DISTRICT REVENUE OFFICER
OFFICE OF COLLECTORATE
DHARMAPURI DISTRICT.

3 THE TAHSILDAR
OFFICE OF THE TAHSILDAR, NALLAMPALLI TALUK
DHARMAPURI DISTRICT.

4 BALAKRISHNAN

...Respondents

Prayer :_

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus challenging the impugned order dated 02.04.2024 vide Pa.Mu.No.22060/2021/Pa2 passed by the 2nd respondent and to quash the same as illegal and consequently directing the respondent authorities to rectify the mistake by removing the name of the 4th respondent in the UDR patta and include the name of the Petitioner's father within such time as may be stimulated by this Honble court.



WEB COPY



W.P.No.29973 of 2024

For Petitioner : Mr.S.Velmurugan
For Respondents 1 to 3 : Mr.C.Gowthamaraj
Government Advocate
For Respondent-4 : Mr.T.Ganesan

Order

Heard Mr.S.Velmurugan, learned counsel appearing for the petitioner
Mr.C.Gowthamaraj, learned Government Advocate for respondents 1 to 3
and Mr.T.Ganesan, learned counsel for the fourth respondent.

2. This Writ Petition is filed seeking for the following prayer:-

i) To quash the impugned order dated 02.04.2024 passed by the 2nd respondent and consequently, to direct the respondent authorities to rectify the mistake by removing the name of the 4th respondent in the UDR patta and to include the name of the Petitioner's father within a time frame as may be stimulated by this Court.

3. Learned counsel for the petitioner would submit that the petitioner has submitted a representation to the second respondent to rectify the error occurred during issuance of UDR patta, since, patta has been erroneously granted in the name of the fourth respondent's father instead of granting the same in the name of the petitioner's father; that in pursuant to the said report, the third respondent, Tahsildar, being the Authority concerned after



W.P.No.29973 of 2024

conducting enquiry and inspection in the petitioner's property forwarded a Report dated 14.12.2023 to the second respondent for removal of the fourth respondent's father name and to include the petitioner's father's name, but the second respondent without considering the same passed the order dated 02.04.2024 and directed the petitioner to approach the Civil Court. Challenging the said order, the present Writ Petition is filed.

4. The learned Government Advocate for the Official Respondents, viz., respondents 1 and 2 would submit that the UDR Patta was granted in favour of the fourth respondent's father, since, fourth respondent's father was in possession and enjoyment of the property, however, since, the petitioner also claims right over the subject property, the issue involves disputed questions of fact, which can be adjudicated upon only by the Civil Court and therefore, the second respondent by virtue of the impugned order has relegated the petitioner to approach the Civil Court seeking necessary relief and the same cannot be found fault with.

5. The learned counsel for the fourth respondent would submit that the fourth respondent's father has been in possession and enjoyment of the



W.P.No.29973 of 2024

property and hence, UDR patta was granted in the name of the fourth respondent's father, Mandhi @ Maari, since, the petitioner's seeks for change of name of UDR patta in the name of the petitioner's father, without having any valid right/title over the subject property, the second respondent has rejected the petitioner's request and passed the impugned order, which requires no interference.

6. I have given due considerations to the submissions made by the learned counsel for the parties concerned and perused the materials placed on record.

7. According to the petitioner, the lands in S.Nos.46 and 47, measuring an extent of about 1.83 acre belong to the petitioner's grandfather, which were duly covered by document Nos.1043 of 1926 and 2779 of 1928, therefore, the Revenue Officials instead of issuing UDR patta in the name of the petitioner's father, had erroneously granted the same in the name of the fourth respondent's father, therefore, the petitioner has made a representation seeking for removal of the fourth respondent's father name in the UDR Patta and to include the petitioner's father's name.



W.P.No.29973 of 2024

WEB COPY

8. Per contra, it is the case of the fourth respondent that his father was in possession and enjoyment of the subject property, and hence, his father was granted patta under the UDR Scheme.

9. Thus, as stated by the second respondent in the impugned order, there are disputed questions of fact which needs to be resolved, and this Court, while sitting under Article 226 of the Constitution of India cannot act as a Fact Finding Authority and the right course available to the petitioner is to approach the Civil Court and agitate the issue with regard to the petitioner's father entitlement over the subject property in the manner known to law. Therefore, this Court is not inclined to entertain this Writ Petition but intends to dismiss the same granting liberty to the petitioner to agitate his rights before the Civil Court.

10. Accordingly, this Writ Petition is dismissed with liberty as stated supra. No costs.

12.03.2026

sd

Index : yes/no

5/6



W.P.No.29973 of 2024

Krishnan Ramasamy,J.,
sd

WEB COPY

To

- 1 THE DISTRICT COLLECTOR
OFFICE OF COLLECTORATE
DHARMAPURI DISTRICT.
- 2 THE DISTRICT REVENUE OFFICER
OFFICE OF COLLECTORATE
DHARMAPURI DISTRICT.
- 3 THE TAHSILDAR
OFFICE OF THE TAHSILDAR, NALLAMPALLI TALUK
DHARMAPURI DISTRICT.

W.P.No.29973 of 2024

12.03.2026