

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-03-2015

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

WP No. 15929 of 2014

K. Munikrishnan

.. Petitioner

Versus

1. Tahsildar
Arakkonam Taluk Office
Arakkonam Taluk
Vellore District

2. Kuppusamy Muthaliyar

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for a Writ of Mandamus directing the first respondent to direct the Surveyor to demarcate the property of the petitioner at Survey No.683/1A2 to an extent of 66 cents at Nagavedu Village, Arakkonam as per Patta No.1290 and schedule of documents of the said property within a stipulated period as may be fixed by this Court.

For Petitioner : Mr. S. Parthasarathy
For Respondents : Mr. S. Gunasekaran
Government Advocate for R1
Mr. P. Krishnan for R2

ORDER

Heard Mr. Parthasarathy, learned counsel for petitioner, Mr. S. Gunasekaran, learned Government Advocate for first respondent and Mr. P. Krishnan for second respondent. By consent of counsel on either side, the writ petition itself is taken up for final disposal.

2. The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus directing the first respondent to direct the Surveyor to demarcate his property at Survey No.683/1A2 measuring 66 cents at Nagavedu Village, Arakkonam as per Patta No.1290 and schedule of documents of the said property within a time frame to be fixed by this Court.

3. It is seen from the documents filed along with the typed set of papers that on the basis of the representation given by the petitioner, the first respondent had submitted a report dated 26.07.2013 to the Revenue Divisional Officer, Ranipet. Based on the said report, by proceedings dated 01.10.2013, the petitioner was called upon by the Revenue Divisional Officer, Ranipet to attend an enquiry on 18.10.2013 along with the documents in support of his claim. It appears that the petitioner sought time to produce the

documents and by proceedings dated 25.02.2014, the Revenue Divisional Officer, Ranipet also granted time for production of the documents. However, without producing the documents as called for by the Revenue Divisional Officer, Ranipet, the petitioner has submitted a representation dated 05.04.2014 to the first respondent and requested to consider his claim. Admittedly, the competent authority to consider the petitioner's request is the Revenue Divisional Officer. Therefore, the petitioner shall appear before the Revenue Divisional Officer, Ranipet and produce all the documents as called for in the proceedings dated 01.10.2013.

4. Accordingly, the writ petition is disposed of with a direction to the petitioner to appear before the Revenue Divisional Officer, Ranipet and produce all the documents in support of his claim along with the copy of this order. On receipt of the same, the Revenue Divisional Officer shall issue notice to the petitioner as well as the second respondent, conduct enquiry and pass an order on merits and in accordance with law within a period of three months from the date of production of documents by the petitioner. Since the Revenue Divisional Officer, Ranipet is not a party to this writ petition, Registry is directed to mark a copy of this order to the Revenue Divisional Officer, Ranipet, Vellore District. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsh

To

1. Tahsildar
Arakkonam Taluk Office
Arakkonam Taluk
Vellore District
2. The Revenue Divisional Officer
Ranipet, Vellore District.

1 cc to Mr.P.Krishnan ,Advocate, SR.No.12210
1 cc to Mr. S.Parthasarathy,Advocate, SR.No.12290
1 cc to Government Pleader,Sr.No12604

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