

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.26921 OF 2014

S.Usha

.. Petitioner

Versus

1. The Collector,
Thiruvellore District,
Thiruvellore.
2. The Tahsildar,
Revenue Department,
Maduravoil,
Chennai - 600 095.
3. The President,
Pallavan Transport Corporation
House Construction Society Ltd., (MDS HSC 101),
Pallavan House, Pallavan Salai,
Chennai - 600 002.
4. Umapathi
5. Ellappan **

.. Respondents

** RR 4 and 5 impleaded as per order dated 28.01.2015
in M.P.No.1/14 in W.P.No.26921/14

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the second respondent to measure Plot No.R-29 situated in Survey No.150/1 of the petitioner according to the sale deed dated 28.04.1999 at Pallavan Nagar, Koladi Village, Thiruverkkadu Municipality.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.S.Gunasekaran,
Govt. Advocate for RR 1 and 2

O R D E R

Heard Mr.S.T.Varadarajulu, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate for the respondents 1 and 2.

2. Since this writ petition is disposed of without notice to the respondents 3 to 5, the merits of the petitioner's contentions are not gone into by this Court and it is left open to be decided by the second respondent.

3. The petitioner seeks for a direction upon the second respondent to measure Plot No.R-29 situated in Survey No.150/1 of the petitioner according to the sale deed dated 28.04.1999 at Pallavan Nagar, Koladi Village, Thiruverkkadu Municipality.

4. According to the petitioner, her husband, who served in the erstwhile Pallavan Transport Corporation, presently, Metropolitan Transport Corporation, purchased the land from his colleague. The said land was allotted to his Colleague by the third respondent. The respondents 4 and 5 encroached their land and hence, she submitted a representation dated 20.07.2014 to the second respondent to measure the plot to know the real boundaries. Since the same has not been considered till date, she is before this Court.

5. In the light of the above facts, without going into the merits of the petitioner's contentions, the second respondent is directed to consider her representation dated 20.07.2014 and pass reasoned orders on merits and in accordance with law, after issuing notice to the petitioner and the respondents 4 and 5 and giving them an opportunity of personal hearing, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg

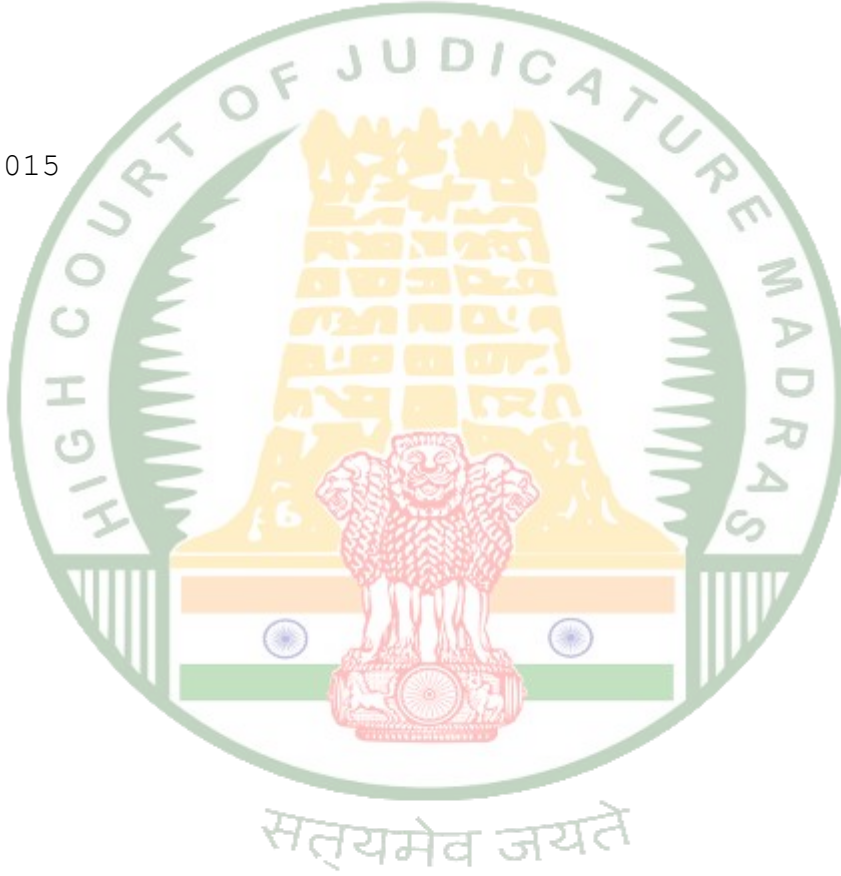
To

1. The Collector,
Thiruvellore District,
Thiruvellore.
2. The Tahsildar,
Revenue Department,
Maduravoil, Chennai - 600 095.

1 cc to Government Pleader, Sr.No.4424

W.P.NO.447 OF 2014

vsn(co)
pmk.18.2.2015



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