

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.32076 of 2015

B.Kasthuri

...Petitioner

-Vs-

1. Government of Pondicherry
rep by its Chief Secretary,
Secretariat, Pondicherry - 1.
2. The Director of Survey,
Government of Pondicherry,
Saram, Pondicherry.
3. The Collector,
Pondicherry,
Pondicherry - 1.
4. The Tahsildar,
Branch Settlement Office,
Karaikkal Taluk Office,
Karaikkal - 609 602,
Pondicherry Union Territory.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to take appropriate action on the Note dated 26.09.1991 submitted by the 4th respondent and the inspection conducted by the 2nd respondents subordinates on 08.08.2014 for rectification of the erroneous classification of wet lands in Old Survey No.642 to Ter which co-relates to R.S.No.11/3 at No.26, Oduthurai Village, Karaikkal Region, Union Territory of Pondicherry as Government dry lands (Tharusu) and restore the old classification of wet lands.

For Petitioner : Mr.A.Muthukumar

For Respondents : Mr.R.Sridhar,
Government Advocate (Pondy)

O R D E R

The petitioner gave a representation on 23.01.1990 for transfer of patta on the ground that a mistake has occurred on the hands of the Revenue Officials. The note of the Tahsildar, Settlement Branch Office, Karaikal dated 26.09.1991, though signed on 15.09.1992, states as follows:

"Hence, the applicant has produced sufficient documents as well as Matrice Copy for proof to claim the ownership over this property. Based on the aforesaid documents, it is learnt that Tmt.Pathumabiv, Awaummal @ Avulaumm, Saraumma and Hamid Mariam are the owners of the land O.S.No.642 ter correlating to R.S.No.11/3 measuring an extent of 0.11.00 Hac.

Therefore, it is decided, since the land R.S.No.11/3 is classified as Govt. Dry land in the Settlement Register, this may please be referred to the Director of Survey and Land Records, Pondicherry for orders for the change of registry."

Thereafter, only on 05.08.2014, the Inspector of Survey issued notice to the petitioner requiring him to come with relevant records for the consideration of the said issue. The petitioner did co-operate with the enquiry. As despite the same no further action is forthcoming, the present Writ Petition has been filed.

2.Considering the same, a direction is issued to the respondent no.2 to pass appropriate orders, pursuant to the note dated 26.09.1991 and the notice issued by the Inspector of Survey on 05.08.2014, within a period of eight weeks from the date of receipt of a copy of this order.

3.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

va

To

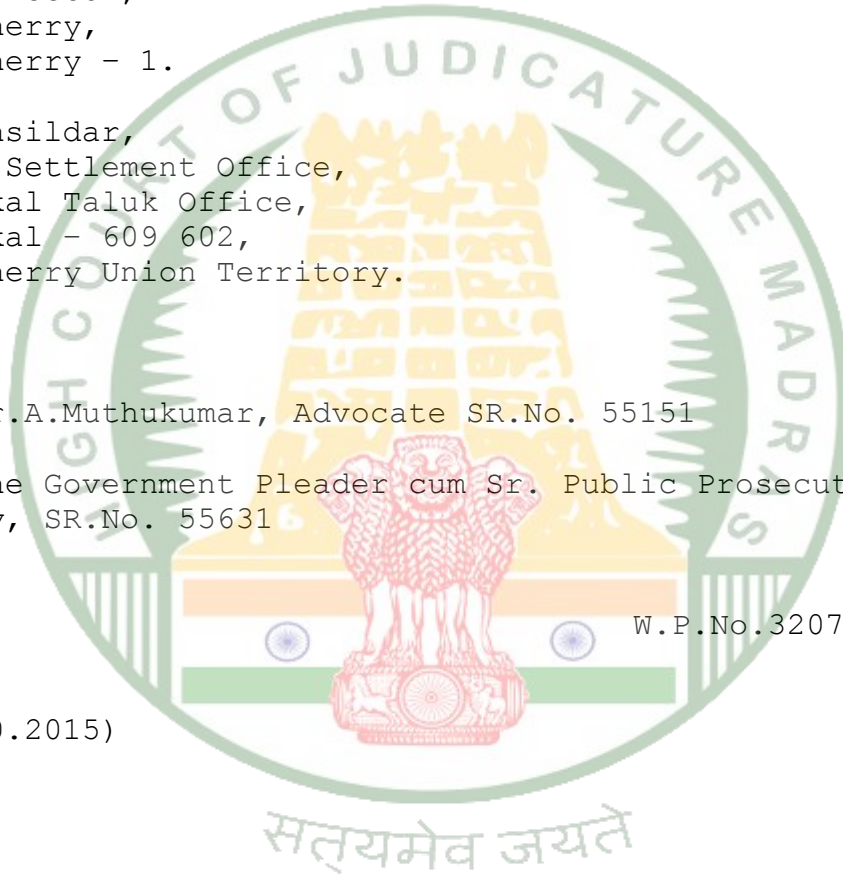
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1 CC to Mr.A.Muthukumar, Advocate SR.No. 55151

1 CC to the Government Pleader cum Sr. Public Prosecutor for
Puducherry, SR.No. 55631

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SKV (CO)
PSI (16.10.2015)



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