



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAHW.P.(MD)No.14423 of 2015

R. PARIMALA

.. Petitioner

Vs.

1. THE COMMISSIONER,
TRICHY CORPORATION, TRICHY.
2. THE TAHSILDAR,
TIRUCHIRAPPALLI WEST, BHARATHIDHASAN SALAI,
CANTONMENT, TRICHY DISTRICT.
3. THE TOWN SURVEYOR,
PONMALAI DIVISION, TRICHY CORPORATION,
TRICHY.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a WRIT OF MANDAMUS directing the respondents herein to rectify the measurement as 203 sq. Meters instead 200 Sq.Meter in the Town Survey Extract (Adagal)in respect of the lands in T.S.No.1/12, Block 5, Abishegapuram village, Trichy within the time limit fixed by this Honble Court by considering the representation dated 18.12.2015 given by the petitioner within a stipulated time.

For Petitioner	: Mr.AL.Kannan
For R1	: Mr.N.S.Karthikeyan Government Advocate
For R2 and R3	: Mr.S.Kumar Additional Government Pleader

O R D E R

The writ petition has been filed for a writ of Mandamus directing the respondents herein to rectify the measurement as 203 sq. Meters instead 200 Sq.Meter in the Town Survey Extract (Adagal)in respect of the lands in T.S.No.1/12, Block 5, Abishegapuram village, Trichy within the time limit fixed by this Court by considering the representation dated 18.12.2015 given by the petitioner within a stipulated time.

2.The case of the petitioner is that the land in T.S.No.1/9, sub-divided as T.S.No.1/12, Block, 5, Abishegapuram Village, Trichy, measuring 203 sq.meters vacant site belong to the petitioner through settlement deed vide document No.5440/2013, dated 19.09.2013 executed by the petitioner's husband viz., Ravichandran. The petitioner is in absolute possession and enjoyment of the above said properties. Hence, the petitioner gave representation dated 13.11.2013 to the second respondent to issue separate patta by sub-dividing the property. Accordingly, the second respondent herein also had issued separate patta



by sub-dividing the properties. But, during measurement, it was wrongly mentioned as 200 sq.meters in Town Survey Extract (Adangal) instead of 203 sq. meters. Thereafter, petitioner made another representation dated 18.12.2014 to the respondents to rectify the Town Survey Extract (Adangal) as per the document, other Revenue Records and Town Survey sketch. But till date, the said representation dated 18.12.2014 has not been considered. Hence, the petitioner has come forward with this writ petition.

3. Heard the learned counsel for the petitioner; and the learned Government Advocate appearing for the first respondent and the learned Additional Government Pleader appearing for the respondents 2 and 3.

4. Considering the facts and circumstances of the case, without going into the merits of the matter, this Court directs the respondents to consider the representation of the petitioner dated 18.12.2014 with regard to rectification in Town Survey Extract (Adangal) and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner and other necessary parties, if any. It is made clear that this Court has not expressed any opinion about the merits of the case.

5. This writ petition stands disposed of accordingly. No costs.

rj2

Sd/-
Asst. Registrar(Wirs)

/True Copy/

Sub Asst. Registrar

To

1. THE COMMISSIONER, TRICHY CORPORATION, TRICHY.
2. THE TAHSILDAR, TIRUCHIRAPPALLI WEST, BHARATHIDHASAN SALAI, CANTONMENT, TRICHY DISTRICT.
3. THE TOWN SURVEYOR, PONMALAI DIVISION, TRICHY CORPORATION, TRICHY.

1CC to Mr. AL. Kannan, Advocate, SR.No. 46236

1CC to The Special Government Pleader, SR.No. 46349

W.P. (MD) No.14423 of 2015
12.08.2015

2P/6C

AM/GSV.PM/SAR-II/26.08.2015.