



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.19397 of 2015

M.Surumbaee

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Trichy District.

2.The Commissioner
Land Reform Office,
Trichy-District.

3.The District Revenue Officer,
Revenue Office,
Trichy District.

4.The Revenue Divisional Officer,
Revenue Department Office,
Musiri Taluk,
Trichy District.

5.The Tahsildar,
Tahsildar Office,
Musiri Taluk,
Trichy District.

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the fifth respondent to survey the land of the petitioner and produce clearance Certificate by considering the representation made by the petitioner dated on 20.08.2015 and 15.09.2015.

For petitioner : Mr.C.Arockia Selvi
For Respondents : Mr.S.Kumar
Addl. Govt. Pleader

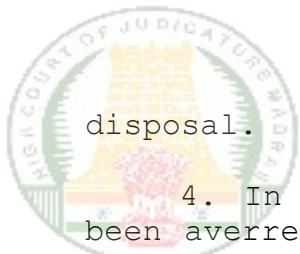
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the fifth respondent to survey the land of the petitioner and produce clearance Certificate by considering the representation made by the petitioner dated on 20.08.2015 and 15.09.2015.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. By consent, this Writ Petition itself is taken up for final



disposal.

4. In the affidavit filed in support of the Writ Petition, it has been averred that the petitioner belongs to schedule caste and is a poor down trodden coolie worker. In the year of 1974 the Governor of Madras assigned the land that comes under Trichy District, Musiri Taluk, in Survey No.229/2 0.69 Wet land and Survey No.236/4 0.97 wet land to the petitioner's father Late Rasu Moopanar, S.o.Maranadu and after the above assignment he was enjoying the same as absolute owner and revenue records also mentioned her name to that effect and in the year of 1980 the petitioner's father executed a Will in favour of the petitioner. On 07.12.1980 the petitioner's father expired. After demise of the petitioner's father, the petitioner got possession as per the registered Will dated 10.06.1980. In view of the same, the petitioner has made a representation to the second respondent on 20.08.2015 to survey the land and produce clearance certificate vide chalan No.TNTC9 8661, 8663 dated 20.08.2015. Since the same was not considered till date, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the respondents to consider the petitioner's representation dated 15.09.2015 with regard to survey of the land of the petitioner and produce clearance certificate and pass appropriate orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order by affording an opportunity of hearing to all the necessary parties. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
District Collector Office,
Trichy District.

2.The Commissioner
Land Reform Office,
Trichy-District.

3.The District Revenue Officer,
Revenue Office,
Trichy District.

4.The Revenue Divisional Officer,
Revenue Department Office,
Musiri Taluk,
Trichy District.



5.The Tahsildar,
Tahsildar Office,
Musiri Taluk,
Trichy District.

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+1 CC to M/s.Arockia Selvi, Advocate, SR No.62931
+1 CC to the Special Government Pleader SR No.63157

W.P (MD) .No.19397 of 2015
28.10.2015

am
SH/DP-JGB:30.11.2015:3P/8C