

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.11542 of 2016

S.Selvi

... Petitioner

Vs.

1.The District Collector,
Office of the Collector,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Office of the RDO,
Cheyyar.

3.The Tahsildar,
Office of the Tahsildar,
Cheyyar.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to measure the property bearing Plot No.10 situated at Vembakkam Village, comprised in Survey No.100/10, Cheyyar Taluk, Tiruvannamalai District measuring to an extent of 0.50 ares or thereabouts more particularly described in the schedule.

For Petitioner : Mr.J.Arul Prakasam

For Respondents : Mr.M.Dig Vijaya Pandian,
Addl.Govt. Pleader.

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to measure the property bearing Plot No.10 situated at Vembakkam Village, comprised in Survey No.100/10, Cheyyar Taluk, Tiruvannamalai District measuring to an extent of 0.50 ares or thereabouts more particularly described in the schedule.

3. It is the case of the petitioner that she is the absolute owner of the land situated in Plot No.10, Vembakkam Village, comprised in Survey No.100/10, Cheyyar Taluk, Tiruvannamalai District measuring to an extent of 0.50 ares or thereabouts, which was allotted to her under Agricultural Land for Poor People Special Scheme, 2006 by the Government vide proceedings No.B5/5924/07 dated 16.6.2007. From the date of allotment, she is in absolute possession without any hindrance from anyone. The petitioner has also been issued with chitta and patta bearing No.1014 dated 16.6.2007 by the third respondent and sketch was also issued by the Village Administrative Officer. On 15.12.2008, she filed a complaint before the first respondent requesting him to survey her land. But, no action was taken by the first respondent. The petitioner has also paid the necessary fees for surveying her land. In this regard, the petitioner sent several representations to the respondents 2 and 3. But, in spite of the same, no action was taken to survey her land. Hence, finally, the petitioner sent a representation dated 25.5.2015 to the respondents. Since the same was also not considered, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the petitioner to give a fresh representation, along with a copy of this order to the third respondent, within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the third respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of twelve weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the third respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

sbi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Office of the Collector,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Office of the RDO,
Cheyyar.

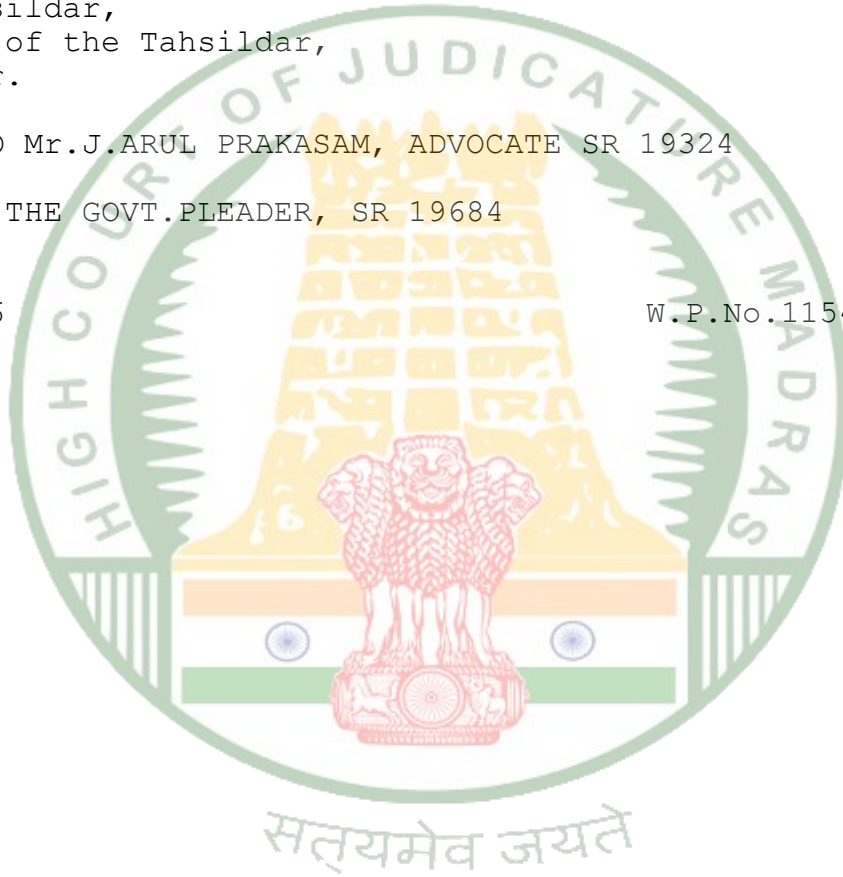
3.The Tahsildar,
Office of the Tahsildar,
Cheyyar.

+ 2 CCS TO Mr.J.ARUL PRAKASAM, ADVOCATE SR 19324

+ 1 CC TO THE GOVT.PLEADER, SR 19684

KR/13/4/16

W.P.No.11542 of 2016



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