

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15167 of 2016

Maramma

... Petitioner

vs.

1.The Sub Collector,
Hosur Taluk,
Krishnagiri District.

2.The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to consider the representation of the petitioner dated 04.06.2013 forwarded by the second respondent to the file of the first respondent in Na.Ka.No.1686/2014 (B5) dated 20.02.2014 within the time frame as fixed by this Court.

For Petitioner : Mr.G.M.Anantha Kumar

For Respondents : Mr.M.Dig Vijaya Pandian, AGP

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to consider her representation dated 04.06.2013 which was forwarded by the second respondent to the file of the first respondent in Na.Ka.No.1686/2014 (B5) dated 20.02.2014, within the time frame as fixed by this Court.

2. It is the case of the petitioner that she has acquired the ancestral land measuring to an extent of 1.10.0

Hectares in S.No.766/1 of Andevanapally Village and has been in possession and enjoyment of the same without any interruption. While so, she intended to gift her land to her legal heirs. At that time, she came to know that the extent of the said land in S.No.766/1 was wrongly mentioned as 0.48.0 Hectares, instead of 1.10.0 Hectares in the 'A' register. Immediately, she verified the same with the records maintained by the Village Administrative Officer and found no mistake therein with regard to the extent of her land. The Village Administrative Officer, after verification with the village records, such as FMB, has also issued a certificate to the effect that the extent of the land in S.No.766/1 was wrongly mentioned as 0.48.0 Hectares, instead of 1.10.0 Hectares. Further, the contents of the said certificate would reveal that the extent of 0.48.0 Hectares is pertaining to S.No.766/2, the extent of which was wrongly mentioned as 1.10.0 Hectares in the 'A' register. Hence, the petitioner made a representation dated 04.06.2013 to the respondents 1 and 2 to rectify the said mistake crept in 'A' register. Upon receipt of the same, the second respondent by his communication dated 20.02.2014 in Na.Ka.No.1686/2014(B5), forwarded the same to the first respondent for necessary action. Even thereafter, there was no response. Therefore, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the Additional Government Pleader, who took notice for the respondents.

4. Considering the limited nature of the relief sought for herein, this Court directs the first respondent to consider the representation of the petitioner dated 04.06.2013, which was also forwarded by the second respondent by his communication dated 20.02.2014 made in Na.Ka.No.1686/2014 (B5) and pass appropriate orders, with regard to the mistake crept in 'A' register about the extent of the petitioner's land. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the first respondent to pass appropriate orders purely on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Sub Collector,
Hosur Taluk,
Krishnagiri District.

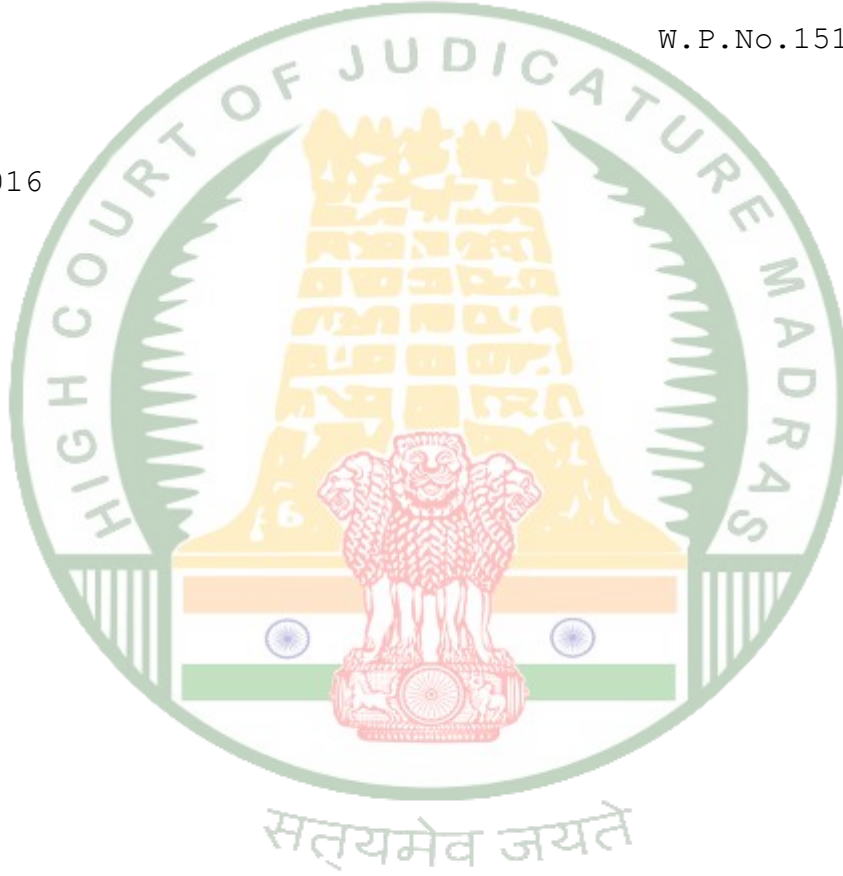
2.The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

+1 cc to Government pleader sr.25803

+1cc to Mr.G.M.Anantha Kumar, Advocate, S.R.No.25365 (13.06.2016)

W.P.No.15167 of 2016

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