

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.16119 of 2016

A.Sankar

..Petitioner

Vs.

1.The District Collector,
Villupuram District, Villupuram.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Thindivanam, Villupuram District.

3.The Tahsildar,
Thindivanam Taluk,
Thindivanam.

..Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to consider the petitioner representation dated 12.04.2016 and consequently directing the respondents to mark the petitioner property situated in New Survey No.318/5 (Old Survey No.201/43 Part) Olakkur Village, Thindivanam Taluk to the extent 00048 Square Meter bearing patta No.758 in the FMB Sketch within the stipulated period.

For Petitioner : Mr.J.Karthikeyan

For Respondents : Mrs.P.Rajalakshmi,
Govt.Advocate

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider his representation dated 12.04.2016 and to mark his property situated in New Survey No.318/5 (Old Survey No.201/43 part) Olakkur Village, Tindivanam Taluk measuring to an extent of 00048 Square Meter bearing patta No.758 in the FMB Sketch within the stipulated period.

2. The case of the petitioner is that he was issued with a gramanatham patta by the Government in the year 1997 in respect of his property in New Survey No.318/5 (Old S.No.201/43 Part), Olakkur Village, Tindivanam Taluk measuring to an extent of 00048 sq.meter bearing Patta No.758 and he is in possession and enjoyment of the same without any interruption. While so, one R.Murugan and M.Duraisamy have tried to disturb his peaceful possession and enjoyment of the property. Therefore, the petitioner filed a suit in O.S.No.349/1999 before the Principal District Munsif Court, Tindivanam for declaration and for permanent injunction and the suit was decreed in his favour, by a judgment and decree dated 23.09.2005.

3. Now, the grievance of the petitioner is that though patta, chitta and adangal stands in his name, the respondents have not marked his property in the FMB Sketch. Hence, he made a representation dated 12.04.2016 to the respondents to mark his property in the FMB sketch and the same is pending without any progress. Therefore, the petitioner is before this Court with the present writ petition for the above stated relief.

4. Heard the learned counsel for the petitioner and the learned Government Advocate, who took notice for the respondents.

5. Considering the limited scope of the prayer made in the writ petition, this Court directs the respondents to consider the representation of the petitioner dated 12.04.2016, by affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders. 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 respondents to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

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

rk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Villupuram District,
Villupuram.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Tindivanam,
Villupuram District.

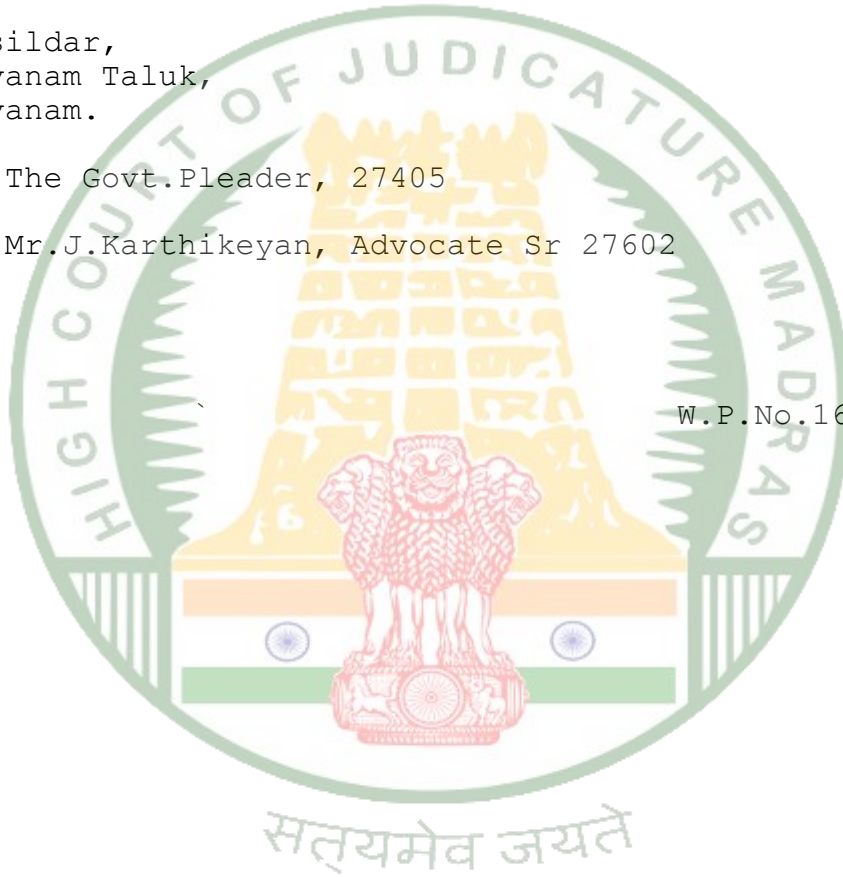
3.The Tahsildar,
Thindivanam Taluk,
Thindivanam.

+ 1 cc to The Govt.Pleader, 27405

+ 1 cc to Mr.J.Karthikeyan, Advocate Sr 27602

KR/2/6/16

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