

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.09.2016

CORAM

The Honourable MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30635 of 2016

- 1 Chinnamuthan
- 2 Sophiya
- 3 Ammasai
- 4 Kannaiyan

... Petitioners

Vs

- 1 The District Collector
Tiruppur District, Tiruppur.
- 2 The Revenue Divisional Officer,
Tiruppur.
- 3 The Tahsildar,
Taluk Office, Avinasi,
Tiruppur District.
- 4 The Village Administrative Officer,
Ammapalayam,
Rakkiyalalayam Village,
Thirumurganpoondi Town Panchayat,
Avinasi, Tiruppur District.
- 5 V.Murugan
- 6 V.Mailyan alias Mayilsamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents 1 to 4 to remove or alter the words of pathway as

whispered at the Revenue Records pertaining to the Survey No.807/13 and 807/12 instead of House site bearing Door No.46, Ambedkar Nagar, Ammapalayam Rakkiyalalayam Village, Thirumurganpoondi Town Panchayat, Avinasi, Tiruppur District based on the representation of the petitioner dated 08.08.2016.

For Petitioners : Mr.M.Saravanakumar
For RR 1 to 4 : Mr.A.N.Thambidurai, Spl. GP

ORDER

By consent, this writ petition is taken up for final disposal.

2 The petitioners would stated that they are the legal heirs of the deceased Rangan who has been granted house site in Survey No.561/1 admeasuring to an extent of 2 cents situate at Rakkiyalalayam Village, Thirumuruganpoondi Town Panchayat, Avinasi Taluk, Tiruppur District, and he has put up a thatched shed and was in possession and enjoyment of the same till his demise on 07.05.2005 and thereafter, the petitioners had succeeded to the said estate. The petitioners further claim of there are also in possession and enjoyment of the land admeasuring to extent of 2 cents at Survey Nos.807/12 and 807/13 in the very same place and put up a superstructure and it is also subjected to statutory levies. The petitioners recently came to know that the site on which they have put up the superstructure, is earmarked as "pathway" and in this regard, the petitioners have

submitted a representation dated 08.08.2016 to the 3rd respondent and despite the receipt and acknowledgment of the same, no response is forthcoming and hence, the petitioners came forward to file this writ petition.

3 Heard the submissions of the learned counsel appearing for the petitioners and Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 4.

4 Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to dispose of the petitioners' representation dated 08.08.2016 in accordance with law, after putting on notice, the person/s concerned including respondents 5 and 6 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned and to the respondents 5 and 6.

M.SATHYANARAYANAN,J.

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

02.09.2016

Index : No
Internet: Yes
jv

To

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