

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19150/2016

A.Kaliyaperumal

...Petitioner

Versus

- 1.The District Collector,
Villupuram,
Villupuram District.
2. The District Revenue Officer,
Villupuram,
Villupuram District.
3. The Revenue Divisional Officer,
Kallakurichi Post & Taluk,
Villupuram District.
4. The Tahsildar,
Kallakurichi Post & Taluk,
Villupuram District.
5. The Taluk Surveyor,
Kallakurichi Post & Taluk,
Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the Respondents to consider the representation, dated 05.04.2016, to measure the land comprised in Old.S.No.25/11 now New.S.No.359/2 having an extent of 36 ½ cents out of 1.05 Acres situated in Emapper Village, Kallakurichi Taluk, Villupuram District consequently, directing the 4th Respondent to issue the patta to the petitioners' situated in Old.S.No.25/11 now New.S.No.359/2 having an extent of 36 ½ cents out of 1.05 Acres in Emapper Village, Kallakurichi Taluk, Villupuram District.

For Petitioner :	Mr.P.Rajavel
For Respondents :	Mr.R.Govindasamy Special Government Pleader

ORDER

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

2 The petitioner claims that the property admeasuring to an extent of 36 ½ cents out of 1.05 acres comprised in old Survey No.25/11 [new Survey No.359/2] at Emapper Village, Kallakurichi Taluk, Villupuram District, originally belong to his ancestors. Thereafter, it was passed on to the successor in interest. The petitioner got the registered Sale Deed bearing Document No.1774/1957, executed in his favour by one Ramaye and Alamelu [Joint-II, Sub Registrar Office, Kallakurichi], conveying 36 ½ cents out of 1.05 acres in old S.No.25/11 [new survey No.359/2] and claims to be in possession and enjoyment of the same ever since the year 1957 and the said property is also assessed to statutory levies. The petitioner, later on, to his shock and surprise, came to know that his name came to be removed by the revenue authorities from the revenue records. In this regard, the petitioner submitted a representation dated 05.04.2016 for point out Field boundary line and issuing patta in respect of the lands in his possession and the Assistant Director, District Surveyor office, has also sent a communication dated 18.04.2016 to the 4th respondent to conduct an enquiry and inform the petitioner and since no orders are passed, the petitioner is constrained to approach this Court by filing the writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents.

4 Though the petitioner has 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 4th respondent to conduct an enquiry within a period of six weeks from the date of receipt of a copy of this order, after putting on notice the persons concerned and send a report to the 2nd respondent, who in turn, is directed to consider the said report and pass orders in accordance with law within a further period of six weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned.

5 The writ petition is disposed of with the above direction. No costs.

-s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

AP

To

- 1.The District Collector,
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Villupuram District.
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Villupuram District.
5. The Taluk Surveyor,
Kallakurichi Post & Taluk,
Villupuram.

+1 cc to Mr.P.Rajavel Advocate sr.30782

+1 cc to Government Pleader sr.30899

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sr(co)
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