

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25780 of 2016

C.Chinnusamy

... Petitioner

Vs.

1. The District Collector
Namakkal District,
Namakkal.

2. The Revenue Divisional Officer,
Namakkal District,
Namakkal.

3. The Tahsildar,
Sendamangalam Taluk,
Namakkal District.

4. S.Selvaraju

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to conduct a survey, identify the boundaries to S.Nos.409/22, 409/32 and 409/25, Erumapatti Village, Sendamangalam Taluk, Namakkal District and rectify the anomalies in the mutation entries by considering the petitioner's representation dated 22.04.2016.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.P.Sanjai Gandhi for R1 to R3
Additional Government Pleader

O R D E R

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

2.The petitioner claims to be the owner of the house property constructed in S.No.409/20, Erumapatti Village, Sendamangalam Taluk, Namakkal District and according to him,

there is a common passage in S.No.409/22 to reach his house and he own another house site in S.No.409/24 and it is located in the North of East-West of the property in S.No.409/22. The petitioner would further state that the fourth respondent being the owner of the house site admeasuring to an extent of 247 ½ sq.ft. in S.No.409/25, managed to obtain patta in his father's name for 350 sq.ft. in S.No.409/25 and taking advantage of the same, is repeatedly making attempt to put up construction to prevent the ingress and egress of the petitioner to his property in S.No.409/24 and in this regard, the petitioner has submitted very may representations praying for conducting survey and identify the boundaries and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Mr.N.Manokaran, learned counsel appearing for the petitioner and Mr.P.Sanjai Gandhi, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the third respondent to consider and dispose of the petitioner's application/ representation dated 30.10.2015, as well as the latest reminder dated 22.04.2016, in accordance with law and after putting on notice, the fourth respondent, pass orders within a period of six 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 fourth respondent.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1. The District Collector
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Namakkal District,
Namakkal.

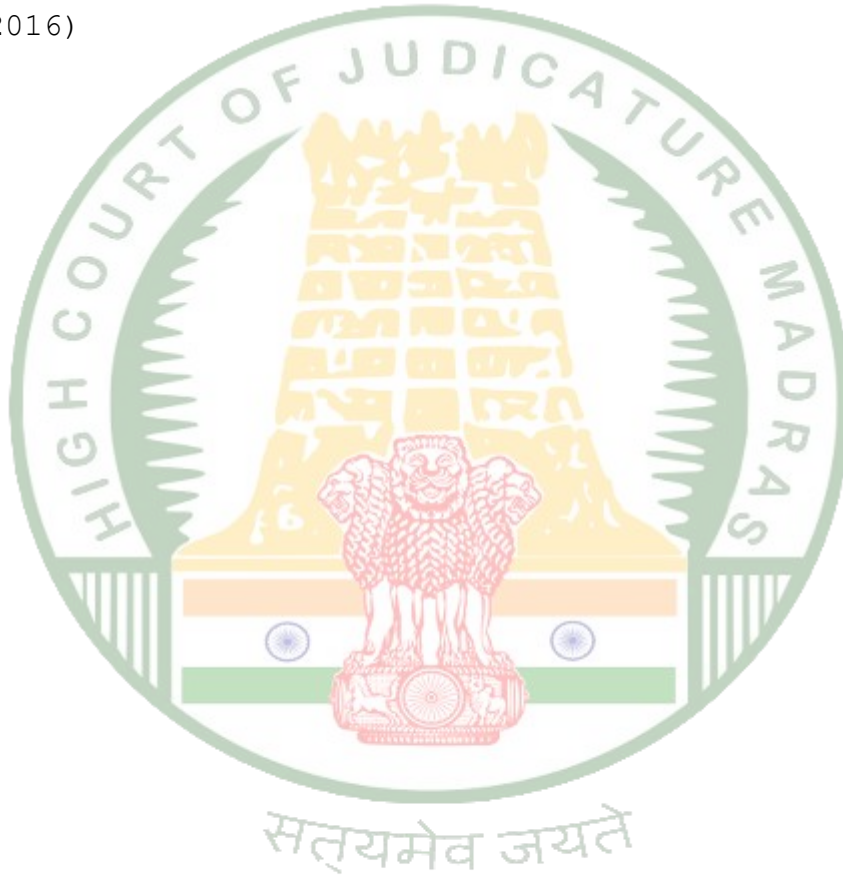
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3. The Tahsildar,
Sendamangalam Taluk,
Namakkal District.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.42154
+1cc to the Government Pleader, S.R.No.42140

W.P.No.25780 of 2016

SV(CO)
CA(29/08/2016)



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