

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27583 of 2016

And

W.M.P.No.23763 of 2016

Tmt.Pavayee

... Petitioner

Vs.

- 1 The Director of Panchayats,
Panagal Park,
Chennai-600 017.
- 2 The District Collector,
Namakkal District,
Namakkal.
- 3 The Block Development Officer,
Vannandur Panchayat Union,
Vannandur,
Rasipuram Taluk,
Namakkal District.
- 4 The District Revenue Officer,
Namakkal District,
Namakkal.
- 5 The Tahsildar,
Rasipuram Taluk,
Namakkal District.
- 6 The Village Administrative Officer,
Minnakkal Agraharam Village,
Rasipuram Taluk, Namakkal District.
- 7 The President,
Minnakkal Agraharam Village Panchayat,
Minnakkal Post,
Rasipuram, Namakkal District.
- 8 R.Sengodan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 7 to consider the representation of the petitioner dated 9.6.2016 in accordance with law and Direct the Respondents to permit the petitioner to enjoy the property as per parent document registered in the year 1934 and F.M.Plan issued by the concern authority.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Govindasamy for R1 to R7
Special Government Pleader

O R D E R

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

2.The petitioner claims that she is the absolute owner of the piece of land admeasuring to an extent of 657 sq.ft. in Old Survey No.176, New Survey No.290/106 in Minnakal Village, Rasipuram Taluk, Namakkal District and it was purchased by her through document no.1454 of 2013, dated 05.04.2013 and according to the petitioner, she is also in possession of the parent document bearing no.976/1934.

3.The grievance expressed by the petitioner is that some third party namely, the eighth respondent, by virtue of the Court order is prevailing upon the fifth respondent to measure her property and she is not even put on notice and in this regard, has submitted a representation dated 09.06.2016, to the first respondent with copies marked to the respondents 2 to 7, not to measure the property without putting her on notice and her apprehension is that despite receipt of such representation, attempts are being made to measure her property without her knowledge and hence, came forward to file this writ petition.

4.Heard the submissions of Mr.R.Sankarasubbu, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 7.

5.Though the petitioner 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 fifth respondent to put the petitioner on advance notice, before measuring the above said property and thereafter, decide the issue, in accordance with law and pass orders, within a period

of eight 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 eighth respondent.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

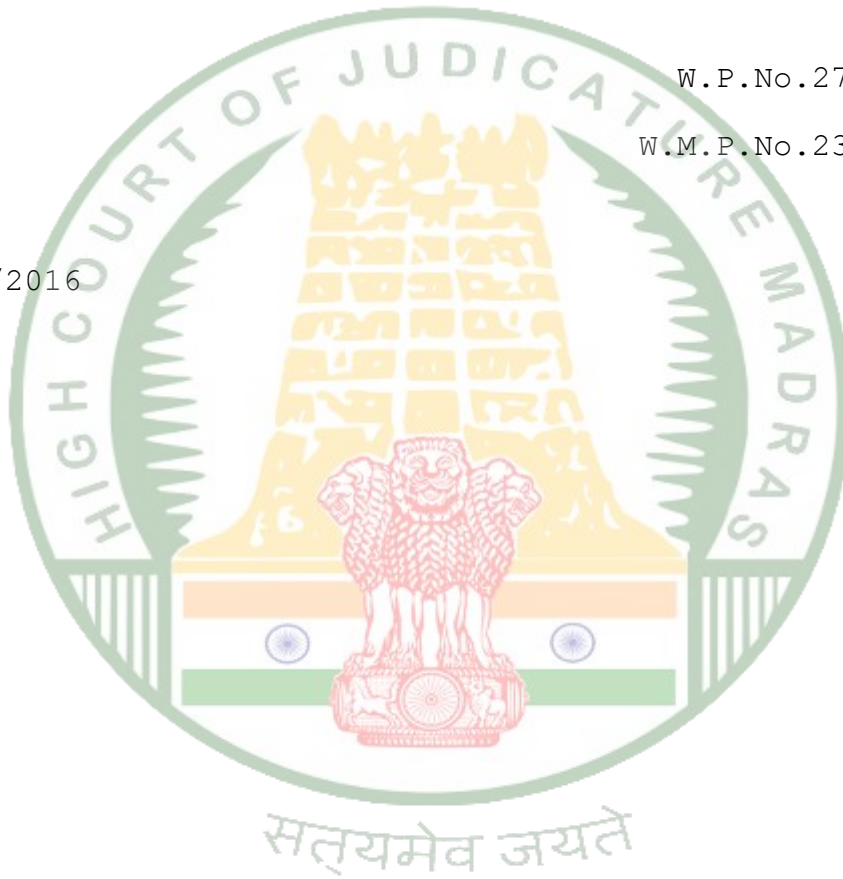
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+1cc to the Government Pleader SR.45239
+1cc to Mr.R.Sankarasubbu, Advocate Sr.53573[21/09/2016]

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srg 24/08/2016



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