

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28829 of 2016

And

W.M.P.No.24892 of 2016

Apoorvam Ammal ... Petitioner

Vs.

1 The District Collector,
Cuddalore District,
Cuddalore.

2 The Tahsildar,
Kurinjipadi Taluk,
Cuddalore District.

3 The Head Surveyor,
Kurinjipadi Taluk,
Cuddalore District.

4 Syed Ibrahim

5 R.Subramani ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents 1 to 3 from entering the land of the petitioner in S.No.109/1 of Vadakku Melur Village, Kurinjipadi Taluk, Cuddalore District for the purpose of measuring demarcating or any other act in pursuant to memorandum of the 2nd respondents FL No.209/16 dt.20.7.16 based on the application 4th and 5th respondents.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.R.A.S.Senthilvel 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 that her father was the owner of the property in S.No.109/1,2,3 and 109/A, B, C at Vadakku Melur Village, Panrutti Taluk, Cuddalore District and her father died

about 20 years back and however, the Revenue records are not yet mutated. The grievance expressed by the petitioner is that her father did not alienate/ sold the property in favour of any third parties, one Syed Ibrahim - the fourth respondent has given request for transfer of patta in his name and in this regard, the office of the second respondent has issued a notice calling upon her to appear for enquiry along with the documents and in response, the petitioner has made a representation dated 03.08.2016 and thereafter, no response is forthcoming and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.M.Selvam, learned counsel appearing for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4. The petitioner is at liberty to participate in the enquiry to be conducted by the second respondent and the second respondent shall provide sufficient opportunity to the petitioner as well as the respondents 4 and 5 to put forth their views/ representation and thereafter, he shall decide the issue as to the survey and measurement strictly, in accordance with law and pass orders, as expeditiously as possible and not later than eight weeks from the date of conclusion of the said enquiry.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

- 1 The District Collector,
Cuddalore District,
Cuddalore.
- 2 The Tahsildar,
Kurinjipadi Taluk,
Cuddalore District.

3 The Head Surveyor,
Kurinjipadi Taluk,
Cuddalore District.

+1 cc to M/s.M.Selvam, advocate, sr.47104

+1 cc to Govt.Pleader, sr.47361

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