



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 02.09.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.16761 of 2016

Sevarkodiyon

... Petitioner

Vs.

1.The Special Commissioner,
Land Survey and Settlement Office,
Chepauk, Chennai - 5.

2.The District Collector,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent to issue copy of the SLR and FMB copies forthwith to the Petitioner in respect of Survey No.19/6, situated at Kannankottai Group, Devakottai Taluk, Sivagangai District, as per the proceedings of the 1st Respondent, dated 01.02.2016 in O.Mu.(A1)/521/2016.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.S.Kumar

Addl.Govt.Pleader

ORDER

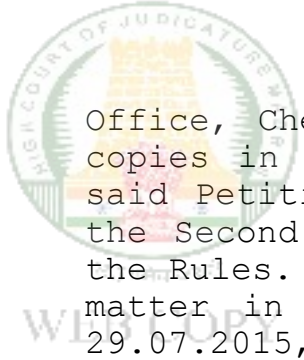
Heard both sides.

2.By consent, the main Writ Petition itself is taken up for final disposal.

3. No counter is filed on behalf of the First Respondent.

4. The Petitioner has filed the present Writ Petition, praying for passing of an order by this Court in directing the Second Respondent, to issue copies of SLR and FMB, forthwith to him, in respect of Survey No.19/6, situated at Kannankottai Group, Devakottai Taluk, Sivagangai District, as per the proceedings of the 1st Respondent, dated 01.02.2016 in O.Mu.(A1)/521/2016.

5. It comes to be known that the Petitioner, on an earlier occasion, on 27.07.2010, had addressed a communication to the Special Commissioner and Director, Land Survey and Land Tax Scheme



Office, Chempauk, Chennai, for issuance of Settlement Land Register copies in the subject matter in issue. As a matter of fact, the said Petition of the Petitioner, dated 27.07.2010 was forwarded to the Second Respondent, on 28.08.2010, for necessary action, as per the Rules. It appears that no action has been taken, in the subject matter in issue. Hence, the Petitioner had sent a Petition on 29.07.2015, in the subject matter in issue, addressed to the Second Respondent / District Collector, Sivagangai District. For this also, no action has been taken till date.

6. Therefore, the Petitioner had filed W.P.(MD)No.23184 of 2015, seeking issuance of copy of SLR and FMB, by the Respondents therein and this Court had observed that an effective remedy is provided to the Petitioner to get the copies of SLR and FMB, under the Right to Information Act, and accordingly, closed the Petition, by granting liberty to the Petitioner, to approach the concerned Authority to obtain those copies. Finally, the Petitioner had applied, under the Right to Information Act, on 23.01.2016, by addressing a communication to the Special Commissioner and Director, Land Survey and Land Tax Scheme Office, Chempauk, Chennai, seeking issuance of Settlement Land Register Copy and also FMB copy. The Petitioner's said Communication / Petition, dated 22.12.2015 was forwarded to the P.A. to the District Collector (General), Sivagangai, by the First Respondent. In spite of the same, no concrete result have emerged, in the subject matter in issue. Hence, the Petitioner has filed the present writ Petition before this Court.

7. In view of the fact that the Petitioner's repeated request for issuance of copies of the SLR and FMB, in respect of Survey No.19/6, situated at Kannankottai Group, Devakottai Taluk, Sivagangai District, is pending before the concerned Authorities, at one point of time, at various level, at this stage, this Court, in the interest of justice and fair play, directs the Second Respondent to issue the copies of SLR and FMB, forthwith, to the Petitioner, in respect of Survey No.19/6, situated at Kannankottai Group, Devakottai Taluk, Sivagangai District, as per the proceedings of the First Respondent, dated 01.02.2016, within a period of three weeks from the date of receipt of a copy of this order. The Petitioner is directed to lend his assistance and co-operation to the Second Respondent, so as to enable the latter to do the needful in his favour, within the time as aforesaid by this Court.

8. With the aforesaid observation(s) and direction(s), the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

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Land Survey and Settlement Office,
Chepauk, Chennai - 5.

2.The District Collector,
Sivagangai District.

+1 cc to Mr.J.ANANDKUMAR,Advocate, Sr.No: 50335

+1cc to M/S Special Government Pleader, Sr No. 50184

JAM/DB/16.09.16/ 3P-5C

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