



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASANWrit Petition (MD) No.19255 of 2016

Pudur Therku Muthiapuram Kulakatankurichi,
Nadar Uravinmurai Kalvi Sangam,
Registration No.3 of 2005,
Door No.9/21, Nadar School Street,
Pudur, Vilathikulam Taluk,
Thoothukudi District,
Represented by its
President

... Petitioner

Vs.

- 1.The District Collector,
Thuthookudi District,
Thuthookudi.
- 2.The District Revenue Officer,
Thuthookudi District.
- 3.The Revenue Divisional Officer,
Kovilpatti,
Thuthookudi District.
- 4.The Tahsildar,
Vilathikulam,
Thuthookudi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to correct the survey sketch in Survey Number 21, Kulakkantankurichi Village, Vilathikulam Taluk, Thuthookudi District in consonance with the decree in O.S.No.11 of 1995 on the file of the District Munsif cum Judicial Magistrate, Vilathikulam and delete the survey Sub-Division Number 21/1B and restore survey Number 21 to its original position.

For Petitioner : Mr.T.R.Jeyapalam

For Respondents : Mr.J.Gunaseelan Muthaiah,

Government Advocate

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents.

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

3. The petitioner has filed this Writ Petition seeking a direction, directing the second respondent to correct the survey sketch in Survey Number 21, Kulakkantankurichi Village, Vilathikulam Taluk, Thuthukudi District in consonance with the decree in O.S.No.11 of 1995 on the file of the District Munsif cum Judicial Magistrate, Vilathikulam and delete the survey Sub-Division Number 21/1B and restore survey Number 21 to its original position.

4. According to the petitioner sangam, they have filed an application before the Tahsildar, Vilathikulam for sub-division. But, the Tahsildar rejected their request, stating that above change were made during the U.D.R Scheme and hence, only the District Revenue Officer has the power to correct the same. Pursuant to that, they have made a representation before the second respondent, namely, the District Revenue Officer on 12.09.2016. The said application is still pending with the second respondent without any disposal. Hence, they have filed this Writ Petition.

5. In the above circumstances, without going into the merits of the case, the second respondent is directed to consider the representation of the petitioner sangam, dated 12.09.2016 and to pass orders on the same on merits and in accordance with law, after giving notice to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Thuthookudi District, Thuthookudi.
 2. The District Revenue Officer, Thuthookudi District.
 3. The Revenue Divisional Officer, Kovilpatti, Thuthookudi District.
 4. The Tahsildar, Vilathikulam, Thuthookudi District.
- +One cc to Mr.T.R.Jeyapalam, Advocate, SR.No.59027
+One cc to The Special Government Pleader, SR.No.59199