

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5941 of 2017

G.Devendran

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur 620 001.

2.The Tahsildhar,
Poonamallee Taluk,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus, directing the first respondent to consider the petitioner's representation dated 05.12.2016 and to change the UDR Survey No.370/1 as per records.

For Petitioner : Mr.D.Parvendan

For Respondents: Mrs.K.Bhuvaneswari,
Government Advocate.

O R D E R

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

2. The grievance expressed by the petitioner is that though he obtained a decree for declaration and permanent injunction vide judgment and decree dated 24.11.2016 in O.S.No.245 of 2013 on the file the Court of Principal District Munsif, Poonamallee, in respect of the property admeasuring to an extent of 808 ½ sq. ft. comprised in Old Natham S.No.226, New Natham S.No.370/3, Chembarambakkam Village, Poonamallee Taluk, Thiruvallur District, it has been wrongly stated as common lane in UDR S.No.370/1. The petitioner has submitted a representation dated 05.12.2016 to the first respondent and it was assigned with Number 74994 and it has been forwarded to the Tahsildar, Poonamallee for submitting a report and since no response is forthcoming, came forward to file this writ petition.

3. Heard Mr.D.Parvendan, learned counsel appearing for the

petitioner and Mrs.K.Bhuvaneswari, learned Government Advocate, who accepts notice on behalf of the respondents, would submit that the remedy open to the petitioner, if any, is to file an appeal before the District Revenue Officer, Thiruvallur.

4. This Court has considered the rival submissions and also perused the materials before it.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit an appeal memorandum/representation to the District Revenue Officer, Thiruvallur by enclosing all necessary and required documents for change of revenue records in UDR S.No.370/1, within a period of two weeks and the said Official, upon receipt of the same, shall put the concerned persons on notice and thereafter, pass orders on the said representation on merits and in accordance with law, within a further period of ten weeks thereafter, and communicate the decision taken to the petitioner as well as to the persons concerned.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Thiruvallur District,
Thiruvallur 620 001. सत्यमेव जयते

2.The Tahsildhar,
Poonamallee Taluk,
Thiruvallur District.

3 The District Revenue Officer, Thiruvallur

+1cc to Mr.D. Parventhan, Advocate, S.R.No.15376

sks (CO)
md(24/03/2017)

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