



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 31.07.2017

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P (MD) No.13509 of 2017

and

W.M.P (MD) No.10579 of 2017

S.Dhanapalan

..Petitioner

Vs

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Deputy Director,
Town and Country Planning,
430, Gandhi Street,
Sivagangai.
3. The Assistant Director of
Survey and Land Records,
Collectorate, Sivagangai.
4. The Tahsildar,
Sivagangai.
5. The Commissioner,
Sivagangai Municipality,
Sivagangai.
6. The Secretary,
Co-operative Society Store,
Sivagangai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.A1/2017/2016, dated 29.6.2016 and to quash the same as illegal and consequently to direct the respondents to rectify the mistake in the Municipal Sketch by considering the Petitioner's application dated 27.1.2014 based upon the documents of the Petitioner and the 6th respondent of their respective lands in respect of T.S.No.23 and T.S.No.22, New Ward No.9, North Raja Street, Sivagangai Town, within the time limit fixed by this Court.



For Petitioner :M/s.S.Manikandan
For Respondents :Mr.C.Selvaraj,
Special Govt. Pleader

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ORDER

This Writ Petition is filed to to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Na.Ka.No.A1/2017/2016, dated 29.6.2016 and to quash the same as illegal and consequently to direct the respondents to rectify the mistake in the Municipal Sketch by considering the Petitioner's application dated 27.1.2014 based upon the documents of the Petitioner and the 6th respondent of their respective lands in respect of T.S.No.23 and T.S.No.22, New Ward No.9, North Raja Street, Sivagangai Town, within the time limit fixed by this Court.

2.Heard Mr.S.Manikandan, learned counsel for the Petitioner and Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents and perused the materials placed before this Court.

3.Mr.S.Manikandan, learned counsel for the Petitioner would submit that based on the direction issued by this Court in W.P.No.4743 of 2014, the Town Surveyor conducted a survey and found that the Petitioner has encroached 100 sq.ft of land belonging to the sixth respondent. Aggrieved over the same, the Petitioner has filed an appeal before the third respondent and the appeal is still pending. However, in view of the letter received from the third respondent, the present Writ Petition is filed.

4.Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents, on instructions, would submit that the appeal filed by the third respondent is still pending and the authority concerned is ready to pass orders on the same.

5.In view of the above said submission, no further adjudication is necessary in this Writ Petition. Accordingly, the Writ Petition is closed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (AD-II)

/True copy/



To

1. The District Collector,
Sivagangai District,
Sivagangai.

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3. The Assistant Director of
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Collectorate, Sivagangai.

4. The Tahsildar,
Sivagangai.

5. The Commissioner,
Sivagangai Municipality,
Sivagangai.

6. The Secretary,
Co-operative Society Store,
Sivagangai.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 68305, 69395

+1 CC to M/s.S.MANIKANDAN, Advocate, SR No. 69093

VSN

PSM/GT/SAR2/16.08.2017/3P/9C

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