



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P (MD) No.14733 of 2017

D.Senthilkumar

... Petitioner

Vs.

1.The District Revenue Officer
Ramanathapuram District,
Ramanathapuram.

2.The Municipal Commissioner
Ramanathapuram Municipality,
Ramanathapuram.

3.Ameerdin T

4.T.Mohideen Ibrahim Ummal

5.T.Seythoon Sannath Beevi

6.Hairunnisa Beevi

7.T.Janoon Beevi

8.Ashisha Beevi

9.T.Krishnasamy

10.Ramesh

11.Saravanan

12.Rajasekar

13.Amirthakannan

14.Nirmala

15.Jayaraman

16.J.Kavitha

17.Sivakumar

18.Suresh kannan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to complete the proceeding in Na.Ka.16/51733/2015 dated 07.2016 and to record the town survey numbers for the GRS No.310/44 with the records of the 2nd respondent Town Survey Field Register Record by considering petitioner's representation dated 21.09.2015.

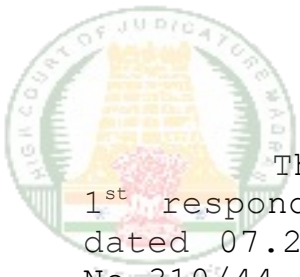
For Petitioner

: Mr.A.Haja Mohideen

For R.1 & R.2

: Mr.S.Kumar,

Additional Government Pleader

O R D E R

This writ petition has been filed, seeking to direct the 1st respondent to complete the proceeding in Na.Ka.196/51733/2015 dated 07.2016 and to record the town survey numbers for the GRS No.310/44 with the records of the 2nd respondent in Town Survey Field Register by considering petitioner's representation dated 21.09.2015.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the first and second respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the property in question originally belonged to his grand father, namely, Padhinettan Servai and the said land was illegally encroached by the respondents 3 to 9 and the same was transferred to various persons through various sale deeds. Hence, the petitioner had filed a suit for declaration and permanent injunction against the respondents 3 to 18 in O.S.No.13 of 2014 on the file of Subordinate Court, Ramanathapuram and the same is pending. In the meanwhile, the petitioner received an information from the Municipality in Na.Ka.No.2326/2015/44, dated 07.07.2015 under RTI Act, to the effect that on 01.10.1984, town survey was completed and in the Survey Register Sr.No.222 to 229, the name of the respondents 3 to 9 were wrongly entered and there is no subsequent transfer. Pursuant thereto, he made a representation to the 1st respondent, dated 21.09.2015 to provide a new town survey number for GRS No.310/44, which stands in the name of his maternal grandfather, for which, the 1st respondent issued summons and requested the petitioner to appear for enquiry on 29.7.2016. Though the petitioner appeared and submitted a detailed report finally on 20.02.2017, till date, there is no response from the 1st respondent. Hence, the petitioner has come before this Court with the above said prayer.

4. Heard the learned Counsel for the petitioner as well as the learned Government advocate appearing for the respondents, who would submit that if a reasonable time is granted to the respondents, appropriate orders will be passed on the representation of the petitioner.

5. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 21.09.2015 and pass appropriate orders thereon, on merits and in accordance with law, within a period of six weeks from the date of this order.



6. The writ petition is disposed of as above. No costs.

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/True Copy/

Sd/-
Assistant Registrar(CS-III)

Sub-Assistant Registrar

To:

1.The District Revenue Officer
Ramanathapuram District,
Ramanathapuram.

2.The Municipal Commissioner
Ramanathapuram Municipality,
Ramanathapuram.

+One cc to Mr.A.Hajamohideen, Advocate, SR.No.71192

+One cc to The Special Government Pleader, SR.No.71682

rm

RL/5C/3P/KK/SAR1/22/8/2017

W.P(MD)No.14733 of 2017

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