

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

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W.P.(MD)No.20582 of 2017

and

W.M.P(MD) No.16872 of 2017

Lakshmi Naidu

Represented by Power of Attorney

P.Ramamoorthy

... Petitioner

Vs.

1. The District Collector
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer
Aruppukottai,
Virudhunagar District.
3. The Tahsildar
Aruppukottai,
Virudhunagar District.
4. The Sub Inspector of Town Survey,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.
5. The Commissioner,
Aruppukottai Municipality,
Aruppukottai
Virudhunagar District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to forthwith rectify the entry in the Town Survey Register to remove the subdivision of T.S.No.79, Ward A, Block 5, Aruppukottai Town into T.S.No.79/1 and 79/2 and restore the entries in the said Registers in favour of the petitioner regarding T.S.No.79, Ward A, Block 5.

For Petitioner : Mr.P.Srinivas

For R.1 to R.4 : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

For R.5 : Mr.N.Dilipkumar

**ORDER**

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

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2. Mr. T. S. Mohamed Mohideen, learned Additional Government Pleader, takes notice for the respondents 1 to 4 and Mr. N. Dilipkumar, learned counsel takes notice for the fifth respondent.

3. According to the petitioner, the property in question originally belonged to the petitioner's father and the same was subsequently, transferred to the petitioner herein by way of Settlement Deed dated 25.07.2013. Though the extent of the property was wrongly entered in the said deed, the same was subsequently rectified on 01.07.2015. Later, Without giving any notice to the petitioner, the above said property was subdivided by including the name of some other person. Therefore, the petitioner submitted a representation dated 01.02.2017 to the respondents 1 to 3, pursuant to which, the first respondent called for the details from the Respondents 2 to 4 with regard to the discrepancies as pointed out by the petitioner. Since there was no progress thereafter, the petitioner has again submitted a representation to the fifth respondent on 20.09.2017, which has not been considered so far and hence, the petitioner is before this Court with the above prayer.

4. Though the petitioner has sought for a larger relief as stated above, the learned Counsel for the petitioner would submit that it would suffice, if the representation dated 20.09.2017 submitted by the petitioner to the fifth respondent, is directed to be considered in a time bound manner.

5. The learned Additional Government Pleader appearing for the respondents 1 to 4 and the learned counsel for the fifth respondent would submit that the respondents 3 to 5 are the competent authorities to pass orders in this matter and if a reasonable time is granted to them, appropriate orders will be passed on the representation of the petitioner dated 20.09.2017.

6. In view of the above submissions and also considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the respondents 3 to 5 to consider the representation of the petitioner dated 20.09.2017 and pass appropriate orders thereon, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also at liberty to furnish a copy of the representation dated



20.09.2017 along with a copy of this order to the respondents 3 to 5 forthwith.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer
Aruppukottai,
Virudhunagar District.
3. The Tahsildar
Aruppukottai,
Virudhunagar District.
4. The Sub Inspector of Town Survey,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.
5. The Commissioner,
Aruppukottai Municipality,
Aruppukottai, Virudhunagar District.

- + 1 cc TO Mr.N.Dilipkumar , Advocate in SR No. 86186
- + 1 cc TO Mr.P.Srinivas , Advocate in SR No. 86149
- + 1 cc TO The Special Government Pleader in SR No. 86258

rm

AE/SKN RSK/SAR3/13.11.2017/3P/9C

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