

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

DATED : 24.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD)No.3979 of 2013

A.Basha

... Petitioner

Vs.

1. The District Collector,
District Collector Campus,
Tiruchirappalli - 620 001.
2. The District Revenue Officer,
O/o. The District Revenue Office,
Tiruchirappalli District.
3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Tiruchirappalli District.
- 4.Sripathy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent No.2 to conduct the enquiry regarding wrong entries made in revenue records and Sub Division in Property in Ward No.5, Block No.65, Town Survey No.65 (Old S.No.254/44) situated at Louis Nagar, East Ambikapuram, Aniyamangalam Taluk, Trichy District and consequently direct the Respondents to cancel the said Sub Division and correct revenue records.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
for R.1 to R.3
Mr.C.Joseph Sathianeson for R.4

ORDER

This writ petition has been filed seeking a writ of mandamus, directing the second respondent to conduct enquiry and to delete the wrong entries from the revenue records, in respect of the subject mentioned property.



2. According to the petitioner, the property in Survey No.213/1A2 belongs to him and he is enjoying possession over the same. The case of the petitioner is that he had already filed a suit for permanent injunction against the fourth respondent herein, in respect of a vacant portion of his property, wherein, the trial Court had also granted interim injunction and the suit is pending. But, the third respondent had sub divided the said vacant portion as a public pathway, without any notice. Aggrieved by the action of the third respondent, the petitioner has preferred an appeal before the second respondent, dated 16.09.2008, against the sub division, followed by several representations. As all his efforts ended in vain, the petitioner is before this Court.

3. Though the prayer in this writ petition is for a larger relief, the learned Counsel for the petitioner now confines his prayer to the effect that it would be suffice, if the representation/appeal of the petitioner dated 06.01.2012, is disposed of by the second respondent, in the manner known to law.

4. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 as well as the learned Counsel appearing for the fourth respondent.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent, to dispose of the appeal of the petitioner dated 06.01.2012, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the fourth respondent as well as all the interested parties, if any, within a period of six 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,
District Collector Campus,

<https://hcservices.hcscourt.gov.in/asp/iesli> - 620 001.



2. The District Revenue Officer,
O/o. The District Revenue Office,
Tirchirappalli District.

3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Tirchirappalli District.

+1cc to Mr.T.Lajapathi Roy, Advocate sr.No.83459

+1cc to The Spl. Government Pleader Sr.No.83503

GK

VB/SV/MMS/SAR1/02/11/2017/3P/6C

W.P. (MD) No.3979 of 2013

24.10.2017