

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.20020 of 2018

N.Mayura

.. Petitioner

Vs

1.The Executive Engineer
Tamil Nadu Housing Board
Housing Unit, Tatabad
Coimbatore-12.

2.The Special Tahsildar
Land Acquisition
House Scheme Unit No.III
Tatabad
Coimbatore-12.

3.The Tahsildar
Coimbatore (North)
Balasundaram road
Pappanaickenpalayam
Coimbatore.

4.Zonal Deputy Tahsildar
Anupparpalayam (Firka)
Taluk office (North)
Balasundaram road
Pappanaickenpalayam
Coimbatore.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 and 2 to remove the old S.No.19/3, Ganapathy Village, Coimbatore, from their land acquisition records.

For Petitioner : Mr.P.Chandrasekaran
For R1 : Mr.P.Vivekavan
For R2 to R4 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner has come up with this writ petition seeking a direction to the respondents 1 and 2 to remove the old S.No.19/3, T.S.No.2/2A, Ganapathy Village, Coimbatore, from their land acquisition records.

2.The main ground raised by the learned counsel for the petitioner is on the lethargic attitude of the respondents. According to him, earlier the petitioner had challenged the land acquisition proceedings before this Court in W.P.No.12576 of 1989 and the same was allowed on 22.04.1997 by quashing the same and the said order became final. When such being the case, according to the learned counsel for the petitioner, keeping the survey number in the land acquisition records affects the title of the petitioner and when the petitioner approached the authorities for removal of such entries, despite the production of all the required documents, the respondents are in long silence and the same is now questioned before this Court. The learned counsel for the petitioner has also produced the communication in letter No.3/18, dated Nil.04.2018, wherein it is stated that the mutation process is being carried out and the petitioner was requested to approach the Tahsildar, Coimbatore (North), for getting computerised patta for the said land. As per the said communication by the Special Tahsildar, Land Acquisition, Tatabad, Coimbatore-12, which supports the claim of the petitioner, he submitted a representation dated 15.07.2018, but the same yielded no result till date.

3.According to the learned counsel for the petitioner, despite several attempts, the petitioner once again submitted the representation dated 15.07.2018 claiming the same relief as prayed in this writ petition, but, the said representation is yet to be disposed of by the respondents 1 and 2. Hence, the learned counsel for the petitioner seeks appropriate directions.

4.Mr.P.Vivekavan, the learned counsel appearing for the first respondent as well as Mr.V.Jayaprakash Narayanan, the learned Special Government Pleader appearing for the respondents 2 to 4 submitted that the respondents be directed to consider the petitioner's representation and pass orders in accordance with law.

5.Considering the facts and circumstances of the case, having regard to the submissions made by the learned counsel on either side and upon perusal of the records placed, this Court directs the respondents 1 and 2 to remove the entries made in the land acquisition records, which are related to S.No.19/3, T.S.No.2/2A, Ganapathy Village, Coimbatore District, on the

basis of the representation made by the petitioner dated 15.07.2018 and issue appropriate orders, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of three weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

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Coimbatore-12.

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Land Acquisition
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Coimbatore.

+1 cc to M/s.P.Chandrasekar, Advocate SR.No.73521

W.P.No.20020 of 2018

NRI (CO)
CSL/16.11.2018