

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9508 of 2018

M.Prabhu

.. Petitioner

-vs-

1.The District Collector
Erode District

2.The Tahsildar
Perundurai

3.The Commissioner of Land Administration
Chepauk
Chennai

4.The Director of Land Survey
Land Survey Department
Chepauk
Chennai- 600 005

... Respondents

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the fourth respondent to consider the representation dated 30.01.2018 and the earlier representations to carry out the rectification in the FMB sketch relating to the property as set out in the above letter.

For Petitioners:: Mr.G.K.Thamizh Arasan

For Respondents:: Mr.V.Jayaprakash Narayanan
Special Govt. Pleader for R1 to R4

ORDER

Learned counsel appearing for the petitioner submitted that the petitioner and his mother Tmt.Sagunthala purchased land covered in Survey No.121/6C from one Mr.K.Pappathi, W/o.P.R.Kuppusamy and registered the same in the office of Sub-Registrar, Uthukulli and the said document has been numbered as Document No.1291 of 2011. The land purchased by the petitioner begins 78 feet away from the National High Way and a new Survey No.121/6C has been given.

2. It is the claim of the petitioner that another property in the same area was conveyed by one Chidambara Gounder in favour of Muthusamy Gounder through a sale deed dated 07.03.1990 bearing Document No.199 of 1990 for an extent of 2500 sq.ft upto 101 feet away from the National High way and a separate new survey number has been given for the property sold by Mr.Chidambara Gounder in favour of Muthusamy Gounder. While so, the petitioner has given a representation to all the respondents on 02.11.2017 seeking new FMB sketch for his land in new Survey No.121/6C, but the said representation has not been considered so far.

3. Learned Special Government Pleader appearing for the respondents submitted that adjacent to the petitioner's property, one Chidambara Gounder has also sold a property in favour of Muthusamy Gounder on 07.03.1990 and that property is situated 101 feet away from the National High Way. Therefore, the representation made by the petitioner is to be disposed of after enquiring with the said Muthusamy Gounder.

4. The second respondent, Tahsildar, Perundurai and the fourth respondent, the Director of Land Survey, Land Survey Department, Chepauk, Chennai are hereby directed to consider the pending representation and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

gpa

To

1.The District Collector
Erode District

2.The Tahsildar
Perundurai

WEB COPY

3.The Commissioner of Land Administration
Chepauk
Chennai

4.The Director of Land Survey
Land Survey Department
Chepauk
Chennai- 600 005

+1cc to the Government Pleader, S.R.No.29215

+1cc to Mr.G.K.THAMIZHARASAN, Advocate, S.R.No. 28726

W.P.No.9508 of 2018

SKV(CO)
TR(08/05/2018)



WEB COPY