

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8883 of 2018

E.P.Chinnappan

.. Petitioner

-vs-

1. The Assistant Director
Survey and Settlement
Namakkal District

2. The Tahsildar
Paramathivelur Taluk
Namakkal District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to issue appropriate orders to measure, fix boundaries and lay corner stone for the Cart Track located at S.F.No.116A/4A, Kurumbalamahadevi Village, Paramathi Velur (Taluk), Namakkal District within the time period stipulated by this Hon'ble Court.

For Petitioner :: Mr.E.P.Senniyangiri

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

Mr.E.P.Chinnappan, a resident of Chinnakattu Thottam, Kurumbalamahadevi Post, Paramathi Velur Taluk, Namakkal District, claims to be an agriculturist. As the mud cart track measuring about 10 feet breadth and 70 metre length in Survey No.116A/4A of Kurumbalamahadevi Village got damaged on either side, he made an application for restoration of the aforementioned cart track. Learned counsel for the petitioner also submitted that in public interest, when the petitioner tried to fix small stones on both sides of the cart track to avoid further damage and reduction of the breadth, one of the users of the cart track Mr.Karumana Gounder opposed the same stating that only the revenue authorities have got power and not the petitioner. Therefore, he has approached the revenue

authorities to measure and set right the cart track as per the revenue sketch. Accepting the representation of the petitioner, the District Revenue Officer, Namakkal in his proceedings dated 23.3.2016, directed the Assistant Director, Survey and Settlement, Namakkal to measure and fix boundaries to the aforementioned cart track. But till date, no further development has taken place. Therefore, the petitioner has come to this Court seeking a mandamus to the second respondent to measure and fix the boundaries in respect of the aforementioned cart track.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondents, taking note of the fact that the petitioner is asking for measurement and also restoration of the cart track covered in S.F.No.116A/4A of Kurumbalamahadevi village, Paramathi Velur Taluk, Namakkal District, submitted that the representation of the petitioner would be duly considered.

3. This Court hereby directs the respondents 1 & 2 to consider the petitioner's representation, as it is made in public interest, and do the needful within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-iv)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Assistant Director
Survey and Settlement
Namakkal District

2. The Tahsildar
Paramathivelur Taluk
Namakkal District

+1cc to Mr.E.P.SENNIYANGIRI Advocate, S.R.No. 28166
+1cc to the Government Pleader, S.R.No. 28484

W.P.No.8883 of 2018

SKV (CO)
TR(26/04/2018)