

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.15947 of 2017

V.Chandrasekar

.. Petitioner

vs.

1. The District Collector,
Krishnagiri.

2. The Sub-Collector,
Hosur.

3. The Tahsildar,
Soolagiri Taluk Office,
Krishnagiri District.

4. The Block Development Officer,
Soolagiri,
Krishnagiri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 2 and 3 to consider the petitioner's representation dated 26.12.2016 for rectification of erroneous entry in the revenue records in Survey No.122/3 and 123 situate at Berigai Village, Soolagiri Taluk, Krishnagiri District within the time to be stipulated by this court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.R.Govindasamy,
Special Government Pleader

O R D E R

The petitioner seeks for a mandamus directing the respondents 2 and 3 to consider his representation dated 26.12.2016, wherein and whereby, he sought for rectification of the entries made in the revenue records in respect of Survey No.122/3 and 123 situate at Berigai Village, Soolagiri Taluk, Krishnagiri District.

2. Heard both sides.

3. It is the case of the petitioner that he has donated an extent of 6.78 cents of land to the local Panchayat for construction of bus stand and however, in the revenue records, it is shown as 10 cents. Therefore, the petitioner wants to rectify the entries in the revenue records.

4. On the other hand, the learned Special Government Pleader, based on instructions, submitted that the petitioner has originally given 10 cents to the Panchayat and obtained an exparte decree in a Civil Suit filed by him for recovery of the said extent of land. He further submitted that the respondents have filed a set aside petition and consequently, the suit is also restored. Therefore, he submitted that during the pendency of the said suit, the petitioner is not entitled to seek rectification of the revenue records.

5. Since this writ petition is filed seeking for a mandamus only for considering the representation of the petitioner dated 26.12.2016, nothing prevents this respondent from stating all these reasons by passing an order on the representation made by the petitioner. Therefore, this writ petition is disposed of without expressing any view on the merits and contentions raised by the respective parties only with a direction to the 2nd and 3rd respondents to pass orders on the representation made by the petitioner on merits and in accordance with law by taking into consideration all the facts and circumstances of the case. Such exercise shall be done by the 2nd and 3rd respondents within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vsi
To

1. The District Collector,
Krishnagiri.
2. The Sub-Collector,
Hosur.
3. The Tahsildar,
Soolagiri Taluk Office,
Krishnagiri District.

4. The Block Development Officer,
Soolagiri,
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.9170

+1cc to Mr.R.Govindasamy, Advocate, S.R.No.8942

+1cc to the Government Pleader, S.R.No.9392

W.P.No.15947 of 2017

ssd(co)
cs/20/02/18



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