

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.23672 of 2018

B.Sivakumar

... Petitioner

Vs

1. The Tashildar - North,
Office of Thiruppur North Tashildar Office,
Tiruppur Town and District.
2. The Town Sub Surveyor - Town Survey,
Corporation office,
Tiruppur Town and District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to conduct enquiry and to survey and sub divide the land in Old S.F.Nos.755,756 and new Town Survey Nos.46 to 128, Ward K, Block 56 to an extent of Acre 11.07 cents of Thottipalayam Village, Rayapuram, Tiruppur Taluk and district in RTR File No. 16/2017 on the file of the 2nd respondent.

For Petitioner : Mr.S.C.Vishwanth

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

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the respondents to conduct enquiry and to survey and sub divide the land in Old S.F.Nos.755,756 and new Town Survey Nos.46 to 128, Ward K, Block 56 in Thottipalayam Village, Rayapuram, Tiruppur Taluk.

3. According to the learned counsel for the petitioner, the petitioner has submitted a petition dated 17.02.2017 to the 1st respondent claiming the same relief as prayed in this writ petition. Though the said petition was received and assigned as RTR No.16/2017 by the 2nd respondent, the same was not considered on the ground that one Raja raised objection for surveying the land and hence, enquiry was ordered. However, till date, no enquiry was conducted. Hence, this Writ Petition.

4. The learned Special Government Pleader appearing for the respondents fairly submitted that the respondents may be directed to consider the claim of the petitioner within a time frame to be fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this writ petition stands disposed of, directing the respondents to hold enquiry, after issuing due notice to the petitioner as well as all the necessary parties and thereafter pass appropriate orders with regard to claim of the petitioner seeking survey and subdivision of the land in question, on merits and in accordance with law. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS IX)

//True copy//

Sub Assistant Registrar

gsa

To

1. The Tashildar - North,
Office of Thiruppur North Tashildar Office,
Tiruppur Town and District.
2. The Town Sub Surveyor - Town Survey,
Corporation office,
Tiruppur Town and District.

+1cc to Mr.S.C.Vishwanth, Advocate SR.No.63367

+1cc to Government Pleader SR.No.63480

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GSP(12/10/2018)