

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.07.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.17540 of 2018

T.Sundhari

...Petitioner

Versus

1. The District Collector,
Collectorate, Salem.
2. The District Revenue Officer,
Collectorate, Salem.
3. The Revenue Divisional Officer,
Attur Taluk and Post,
Salem District.
4. The Tasildhar,
Taluk Office,
Gangavalli Post and Taluk,
Salem District.
5. The Head Surveyor,
Taluk Office,
Gangavalli Post & Taluk,
Salem District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th and 5th respondents herein to consider the petitioner representation dated 10.11.2016 and reminder representation dated 11.06.2018 to made necessary correction in the FMB Sketch in S.No.163/4 and 163/5 in the light of the revenue records which is situated in situated Pagadapaddi Village, Gangavalli Taluk, Salem District belongs to the petitioner.

For Petitioner

: Mr.A.Rajkumar

For Respondents

: Mr.S.N.Parthasarathy, G.A.

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 4th and 5th respondents herein to consider the petitioner's representation dated 10.11.2016 and remainder representation dated 11.06.2018 to make necessary correction in the FMB Sketch in S.No.163/4 and 163/5 in the light of the revenue records which is situated in Pagadapaddi Village, Gangavalli Taluk, Salem District.

2. Learned Counsel appearing for the petitioner submitted that the petitioner was allotted with the land in Survey No.163/5 admeasuring 0.24.0 hectares in Pagadapaddi Village, Gangavalli Taluk, Salem District by the Tahsildar, Gangavalli Taluk, Salem District, the 4th respondent herein by his Proceedings in AM/2/1417 dated 24.09.2007. As per the above said proceedings, S.No.163/4 is classified as Tharusu land and the same was sub-divided as 163/5 which was allotted as a patta land in favour of the petitioner. From the date of allotment order, she has been in possession and peaceful enjoyment of the same and the Revenue Records are also standing in her name and the patta also shows that Patta bearing No.958 stands in the name of the petitioner. However, in FMB Sketch, the respondents 4 and 5 have not made any necessary correction as per the revenue records. Hence, she has given a representation dated 10.11.2016 to the respondents 4 and 5 followed by a remainder dated 11.06.2018. But till date, the 4th respondent, namely, the Thasildar, Gangavalli Post and Taluk, Salem District and the 5th respondent, namely, the Head Surveyor, Gangavalli Post and Taluk, Salem District had not considered the request of the petitioner to make necessary correction in FMB Sketch in S.No.163/4 and 163/5 on the basis of the revenue records.

3. Mr.S.N.Parthasarathy, learned Government Advocate, who takes notice for the respondents submitted that since patta has already been issued in favour of the petitioner to the aforesaid property in Survey No.163/5 admeasuring 0.24.0 hectares in Pagadapaddi Village, Gangavalli Taluk, Salem District by the Tahsildar, Gangavalli Taluk, Salem District, the representation of the petitioner would be considered by the respondents 4 and 5 in accordance with the revenue records and further sought for 4 weeks time to consider the same.

4. In view of the above submission, the respondents 4 and 5 are hereby directed to consider the representation of the petitioner dated 10.11.2016 to the respondents 4 and 5 followed by a remainder dated 11.06.2018, within a period of four weeks from the date of receipt of a copy of this Order.

5. With the above direction, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

tsi

To

1. The District Collector,
Collectorate, Salem.
2. The District Revenue Officer,
Collectorate, Salem.
3. The Revenue Divisional Officer,
Attur Taluk and Post,
Salem District.
4. The Tasildhar,
Taluk Office,
Gangavalli Post and Taluk,
Salem District.
5. The Head Surveyor,
Taluk Office,
Gangavalli Post & Taluk,
Salem District.

+1 CC to Govt. Pleader sr 46601.

WEB COPY

W.P.No.17540 of 2018

VSNI I(CO)
SP(23/07/2018)