

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26609 of 2018

Madethampadi

... Petitioner

Vs

- 1.The Director,  
Survey and Settlement Department,  
Chepauk, Chennai -5.
- 2.The District Collector,  
Office of the Collectorate,  
Erode District.
- 3.The District Revenue Officer,  
Office of Collectorate,  
Erode.
- 4.The Assistant Director  
Survey and Land Records,  
Department of Survey and Land Records,  
Erode -638 011.
- 5.The Revenue Divisional Officer  
Gobichettipalayam,  
Erode District.
- 6.The Tahsildar,  
Anthiyur,  
Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the fourth respondent to correct the clubbing of the petitioner's land in Old Survey No.83/2 measuring to an extent of 1.29 acre with R.S.No.161 and classifying the same as Anathenam to patta land in reland survey document based on the petitioner's representations dated 26.04.2017, 08.01.2018, 23.02.2018, 03.03.2018 & 06.03.2018 as per the report of the 6<sup>th</sup> respondent dated Nil bearing Ma.No.16/17/S1 within time stipulated by this Court.

For Petitioner : Mr.R.Murali  
For Respondents : Mr.V.Jayaprakash Narayanan, SGP

ORDER

The prayer made in this writ petition is to direct the fourth respondent to correct the mistake of clubbing the petitioner's land in Old Survey No.83/2 measuring to an extent of 1.29 acre with R.S.No.161 and classifying the same as Anathenam in the resurvey land register by considering the petitioner's representations dated 26.04.2017, 08.01.2018, 23.02.2018, 03.03.2018 and 06.03.2018 based on the report of the 6<sup>th</sup> respondent within a time frame to be stipulated by this Court.

2.According to the learned counsel for the petitioner, the petitioner's patta land in Old S.No.83/2 was wrongly clubbed with R.S.No.161 and was classified as Anathenam in the resurvey land register. Hence, the petitioner made a representation dated 08.01.2018 to the first respondent to rectify the mistake crept-in in the revenue records. On receipt of the same, the first respondent forwarded the said representation to the fourth respondent for taking necessary action. The petitioner also sent representations dated 23.02.2018, 03.03.2018 and 06.03.2018 to the fourth respondent in this regard. In the mean while, he received a copy of the letter dated 26.03.2018 from the fourth respondent to the first respondent stating that the report sought for from the sixth respondent with regard to the claim of the petitioner is yet to be received. Thereafter, there was no progress on the petitioner's representation. Hence, this writ petition.

3.Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the sixth respondent to submit a report to the fourth respondent with regard to the claim of the petitioner within a period of three weeks from the date of receipt of a copy of this order. On receipt of the same, the fourth respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as any other interested parties.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Director,  
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Chepauk, Chennai -5.
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5. The Revenue Divisional Officer  
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Erode District.
6. The Tahsildar,  
Anthiyur,  
Erode District.

+1cc to Mr.R.Murali, Advocate, S.R.No.75161

+1cc to the Government Pleader, S.R.No.74886

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VD(CO)  
GSP(06/12/2018)