

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.29032 of 2018
and W.M.P.No.33942 of 2018

S.Natarajan

.. Petitioner

Vs.

1. The District Collector,
Collectorate, Villupuram,
Villupuram District.
2. The Director of Survey and Land Registrar,
Chepauk, Chennai-600 005.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tindivanam, Villupuram District.
4. The Tahsildar,
Taluk Office,
Malamalayanoor,
Villupuram District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the fourth respondent dated 27.05.2017 passed in Petition No.2017/9005/07/512369/0522 and 22.05.2017 and quash the same, and consequently direct the respondents to furnish the certified copy of the FMB Sketch relating to Avalurpet Village bearing Survey No.411/2 for the period from 1972 to 1983.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

By consent of the learned counsel appearing on either side, this writ petition is taken up for final hearing at the admission stage.

2. The petitioner laid challenge to the order dated 27.05.2017 rejecting his request to furnish the certified copy of the FMB Sketch relating to Survey No.411/2, Avalurpet Village for the period from 1972 to 1983 and sought a direction to the fourth respondent to issue the same.

3. Learned counsel for the petitioner submitted that the request of the petitioner was rejected stating that the fourth respondent office was bifurcated from the Gingee Taluk Office and the records are not available with them.

4. Mr.Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents, represented that if the petitioner makes a fresh application to the second respondent, where the records sought for by the petitioner are available, the same would be considered by the second respondent.

5. The said submission is recorded. Accordingly, the petitioner is directed to make a fresh application to the second respondent within a period of two weeks from the date of receipt of a copy of this order, after which, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and any one of the interested parties, if required, within a period of five weeks thereafter.

56. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

7. Post 'for reporting compliance' on 28.01.2019.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The District Collector,
Collectorate, Villupuram,
Villupuram District.

2. The Director of Survey and Land Registrar,
Chepauk, Chennai-600 005.

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RK(CO)
SP(17/12/2018)