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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
W.P.[MD].No.8089 of 2018

and

W.M.P. (MD) Nos.7673 and 7674 of 2018

Arulmigu Mutharamman Thirukoil,
Peyankuzhi,
Rep. by its President,
Gopalan

: Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by it's Secretary,
The Tamil Nadu Rural Development &
Panchayat Raj Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The District Collector -cum-
Inspector of Village Panchayats,
District Collector's Office Campus,
Nagercoil,
Kanyakumari District.
- 3.The District Revenue Officer,
District Collector's Office Campus,
Nagercoil, Kanyakumari District.
- 4.The Assistant Director - Village Panchayats,
District Collector's Office Campus,
Nagercoil, Kanyakumari District.
- 5.The Revenue Divisional Officer,
Thuckalay,
Kanyakumari District.
- 6.The Tahsildar,
Thuckalay,
Kalkulam Taluk,
Kanyakumari District.
- 7.The Block Development Officer,
Thuckalay Panchayat Union,
Kozhupur Villai,
Mulagumoodu Post,



Kalkulam Taluk,
Kanyakumari District.

8. The Nullivilai Village Panchayat,
Rep. by it's Special Officer,
Kandanvilai & Post,
Kalkulam Taluk, Kanyakumari District.

9. Mrs. R. Esthar Rani : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to call for the records on the file of the eighth respondent in his proceedings bearing No.52/16.17 dated 20.07.2016 and remand the same back to the file of the eighth respondent to consider the petitioner's representation dated 01.08.2017, with a specific direction to include the name of the hamlet, namely Peyankuzhy along with Nullivilai-B Village, Kalkulam Taluk, Kanyakumari District in the aforesaid building approval plan of the ninth respondent.

[Prayer amended as per the order of this Court dated 20.08.2018 in W.M.P. (MD) No.14103 of 2018]

For Petitioner : M/s.L.Victoria Gowri
For Respondents 1 to 8 : Mr.A.K.Baskarapandian,
Special Government Pleader

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

This is a very strange case sought to be canvassed before us. By the proceedings dated 01.09.2015, the second respondent has already put an end to the controversy. As per the above said proceedings and taking note of the Civil Suit in O.S.No.659 of 1962 and appeal in A.S.No.84 of 1966, it was ordered that existence of the name of the Hamlet as Peyankuzhi shall continue. Now, the grievance of the petitioner is that in the building plan approval granted, the names of the Revenue Village and Panchayat have been shown as 'Nullivilai 'B' Village' and 'Nullivilai Village Panchayat', while removing the name of the Hamlet as Peyankuzhi. The learned counsel also produced a copy of the similar building plan granted earlier, in which, the name of the Hamlet has been shown.

2. It appears that the petitioner has given a representation on 07.08.2017 in this regard. This representation is still pending consideration with the second respondent. Therefore, without going into the merits of the case, we direct the second respondent to pass appropriate orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The Writ Petition stands disposed of with the above



direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/
Assistant Registrar (T&P)

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Sub Assistant Registrar (CS-III)

To

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The Rural Development &
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Mulagumoodu Post,
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Kanyakumari District.

+1cc to Mr.L.VICTORIA GOWRI, Advocate, SR.No.79176
+1cc to M/s.Special Government Pleader, SR.No. 79681

W.P.[MD].No.8089 of 2018
Dated: 20.08.2018
(2/2)