

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.7175 of 2019

D.Dhanabakiyam @ Bakiyam

...Petitioner

Vs.

- 1.The District Collector
Tirupur District
Tirupur.
- 2.The Revenue Divisional Officer
Tirupur Taluk & District.
- 3.The Deputy Director
Office of the District Land Survey Department
Tirupur District
Tirupur.
- 4.The Tasildar
Tirupur South
Tirupur.
- 5.The Firka Surveyor
Tirupur South
Tirupur.
- 6.The Village Administrative Officer
Andipalayam Village
Tirupur Taluk & District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to survey the land measuring an extent of 72.2 cents comprised in Survey No.14/2, of Andipalayam Village by metes and bounds and to sub-divide and issue patta for 72.2 cents of land.

For Petitioner : Mr.K.Vingesh Karthick

For Respondents: Mr.I.Sathish
Additional Government Pleader

O R D E R

Mr.I.Sathish, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the fourth respondent to survey the land measuring an extent of 72.2 cents comprised in Survey No.14/2, of Andipalayam Village and issue patta.

3. The petitioner claims that she is in possession and enjoyment of the subject matter property vide a registered settlement deed dated 25.02.2004 executed by her father. The petitioner made representations dated 26.11.2018 and 02.01.2019 seeking for re-survey of the subject matter land, by contending that in the earlier survey conducted, the measurement was wrongly mentioned as 70.37 cents instead of 72.2 cents and patta No.2878 was issued to him. The grievance of the petitioner before this Court is that the said representations have not been considered by the respondents so far.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the fourth respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the fourth respondent to consider the representations of the petitioner dated 26.11.2018 & 02.01.2019 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

सत्यमेव जयते
sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Collector
Tirupur District
Tirupur.

2.The Revenue Divisional Officer
Tirupur Taluk & District.

3.The Deputy Director
Office of the District Land Survey Department
Tirupur District
Tirupur.

4.The Tasildar
Tirupur South
Tirupur.

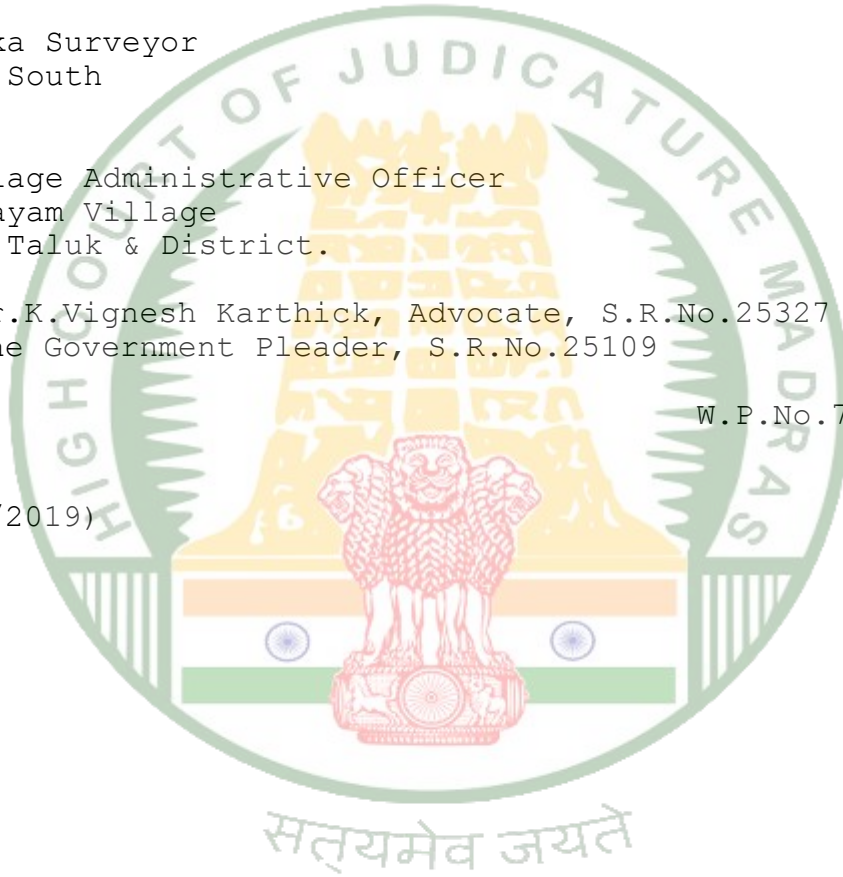
5.The Firka Surveyor
Tirupur South
Tirupur.

6.The Village Administrative Officer
Andipalayam Village
Tirupur Taluk & District.

+lcc to Mr.K.Vignesh Karthick, Advocate, S.R.No.25327
+lcc to the Government Pleader, S.R.No.25109

W.P.No.7175 of 2019

RRS (22/04/2019)



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