

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.7522 of 2019

1.S.Govindaraj

2.Senthilkumar

.... Petitioners

Vs

1.The Commissioner,
Edapadi Municipality,
Edapadi,
Salem District.

2.The Tahsildar,
Edapadi Taluk,
Salem District.

(2nd respondent is impleaded as per
order dated 02.04.2019 made in
W.M.P.No.9909 of 2019 by KRCEJ)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to rectify the defects noted in the remarks column in Town Survey Register as Municipal land in New.S.No.95, Old.S.No.224/1A, measuring 0.13 cents, Melmugam Village, V.N.Palayam Post, Edapadi Taluk, Salem District by disposing the petitioner representation dated 19.01.2016 and 05.09.2018.

For Petitioners : Mr.M.S.Palaniswamy

For Respondents : Mrs.K.Bhuvaneswari for R1
Mr.V.Prabhu, Government Advocate for R2

O R D E R

Mrs.K.Bhuvaneswari, learned counsel takes notice for the 1st respondent and Mr.V.Prabhu, learned Government Advocate takes notice for the impleaded respondent.

2. The petitioners seek for a Mandamus directing the respondent to rectify the defects noted in the remarks column in Town Survey Register as Municipal land in New.S.No.95, Old.S.No.224/1A, measuring 0.13 cents,

Melmugam Village, V.N.Palayam Post, Edapadi Taluk, Salem District by disposing the petitioner representation dated 19.01.2016 and 05.09.2018.

3. According to the petitioners, there is some mistake in the Town Survey Register maintained by the 2nd respondent in respect of the land situated at Survey No.95, Old Survey No.224/1A, measuring to an extent of 0.13 cents, Melmugam Village, V.N.Palayam Post, Edapadi Taluk, Salem District, as if the said land is municipal land. According to the petitioners, the said entry is not correct.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the 2nd respondent to consider and decide, after hearing the petitioners and the 1st respondent as well.

5. It is seen that the petitioners have already made representations on 19.01.2016 and 05.09.2018 before the 1st respondent marking a copy of the same to the 2nd respondent as well. Therefore, it is for the 2nd respondent to consider the said representations of the petitioners and pass orders on the same on merits and in accordance with law, after hearing the petitioners as well as the 1st respondent. Such exercise shall be done by the 2nd respondent, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsi/gsi

To

1.The Commissioner,
Edapadi Municipality,
Edapadi, Salem District.

2.The Tahsildar,
Edapadi Taluk, Salem District.

+1cc to Mr.M.S.Palaniswamy , Advocate SR.No. 31571

+1 cc to Government Pleader Sr.No. 32015

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