

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9969 of 2019
and
WMP.Nos.10539 & 10540 of 2019

G.Ramaiya

...Petitioner

Vs.

The Government of Tamil Nadu
Rep. by its

1.The District Collector
O/o. The Collectorate Office
Cuddalore District.

2.The Thasildar
Thasildar Office
Veppur Taluk
Cuddalore District.

3.The Taluk Surveyor
Thasildar Office
Veppur Taluk
Cuddalore District.

4.The Village Administrative Officer
Village Administrative Office
Sirupakkam Village
Veppur Taluk
Cuddalore District.

5.Mathiyazhagan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice bearing letter No.AFL/04/ dated 18.02.2019 issued by the 3rd respondent for conducting field survey to the land in survey No.595-2A on 02.04.2019 at 10.00 a.m. to quash the same and consequently, direct the 2nd respondent to take action pursuant to the petitioner's representation dated 13.03.2019.

For Petitioner : Mr.K.Venkateswaran

For Respondents: Mr.V.Prabhu
Government Advocate
For R1 to R4

O R D E R

Mr.V.Prabhu, learned Government Advocate takes notice for the respondents 1 to 4. Since this writ petition is being disposed of without affecting the interest of the fifth respondent, notice to the said respondent is dispensed with.

2. The petitioner is aggrieved against the proceedings of the 3rd respondent dated 18.02.2019, which is nothing but a notice, calling upon the petitioner and others to appear for an enquiry in respect of survey of the subject matter land.

3. The grievance of the petitioner is that he has already made a request for survey along with necessary documents and without considering such request, the Revenue Officials are trying to survey the land at the instance of the 5th respondent.

4. Needless to state that the present impugned proceedings is only the notice calling upon the petitioner to appear for an enquiry along with relevant documents. When such being the position, it is for the petitioner to appear before the concerned Revenue officials to put forth his claim, so as to enable the authorities to consider the relevant documents filed by the respective parties and thereafter, to take a decision, accordingly. Without doing so, the petitioner has approached this Court and filed the present writ petition, which in my considered view, is highly pre-mature.

5. Accordingly, this writ petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, only by granting liberty to the petitioner to raise all the objections before the Revenue Officials at the time of enquiry. If any such objection is raised, the Revenue officials will consider the same as well as the claim made by the 5th respondent and thereafter, to take a decision after hearing both parties. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

mk

To

1.The District Collector
O/o. The Collectorate Office
Cuddalore District.

2.The Thasildar
Thasildar Office
Veppur Taluk
Cuddalore District.

3.The Taluk Surveyor
Thasildar Office
Veppur Taluk
Cuddalore District.

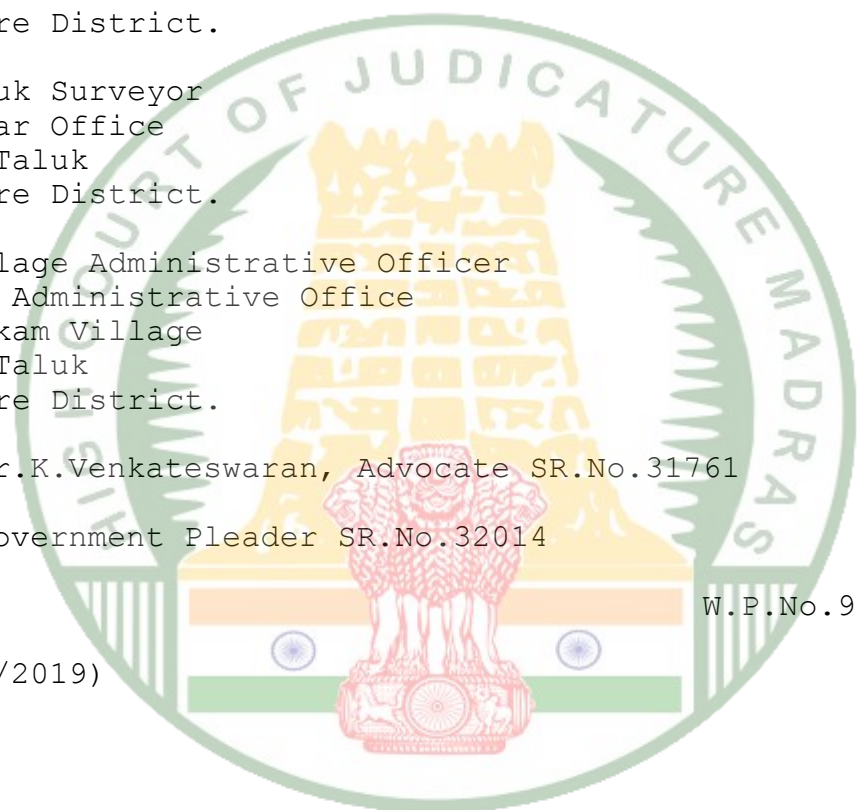
4.The Village Administrative Officer
Village Administrative Office
Sirupakkam Village
Veppur Taluk
Cuddalore District.

+1cc to Mr.K.Venkateswaran, Advocate SR.No.31761

+1cc to Government Pleader SR.No.32014

MG(CO)
GMY(07/05/2019)

W.P.No.9969 of 2019

The seal of the Madras High Court is a circular emblem. It features a central golden temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is set against a background of the Indian national flag's saffron, white, and green horizontal stripes. The words "HIS HONOUR THE JUSTICE OF JUDICATURE MADRAS" are inscribed in a green circular border around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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