

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12407 of 2019

B.S.Syed Ali

... Petitioner

Vs.

1.The District Collector
Krishnagiri.

2.The Revenue Divisional Officer
Hosur.

3.The Tahsildar
Soolagiri Taluk,
Krishnagiri.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to implement the orders of the 1st respondent in proceedings Na.Ka.753/2019/H2 dated 05.02.2019.

For Petitioner : Mr.V.Raghavachari

For Respondents: Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents 2 & 3 to implement the orders of the first respondent dated 05.02.2019.

3. Heard both sides.

4. It is stated that the petitioner is the owner of the property in S.No.126/2B2A measuring an extent of 0.75.8 acres, situated at Kamanthotti Village, Soolagiri Taluk, Krishnagiri District. On the southern side of the said property, the

National Highway No.7 is located. It is further stated that in between the petitioner's patta land and the National Highway, a small portion of the property measuring an extent of 0.0.50 hectares in S.No.127/2A1, is classified as "Poromboke land". Therefore, the petitioner had offered 0.0.50 hectares from his patta land in exchange to the land that are located adjacent to Survey No.126/2B2. It is further stated that the first respondent-District Collector, Krishnagiri, has issued a communication dated 05.02.2019 to the respondents 2 & 3 to consider the request of the petitioner and file a report after making field inspection. The grievance of the petitioner is that even though the said communication was issued by the first respondent-District Collector, the respondents 2 & 3 have not complied with the said direction.

5. Needless to say that it is for the respondents 2 & 3 to look into the communication issued by the first respondent dated 05.02.2019 and send a report to the first respondent as required therein after making field inspection within a period of twelve weeks from the date of receipt of a copy of this order. It is also made clear that this Court is not expressing any view on the merits of the claim made by the petitioner, as this Writ Petition is disposed of only with a direction to the respondents 2 & 3 to send the report within the time stipulated herein.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector, Krishnagiri.

2.The Revenue Divisional Officer, Hosur.

3.The Tahsildar, Soolagiri Taluk,
Krishnagiri.

+1 cc to Mr.V.Raghavachari, Advocate, Sr.No. 41569

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