

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.33767 of 2019

P.Lakshmi

.. Petitioner

-vs-

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The District Revenue Officer,
Tiruppur.

3.The Asst. Director of Survey,
Tiruppur.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to survey the petitioner's land having an extent of Acre 1.20¾ cents in Agrahara Kannadi Puthur i.e. A.K.Puthur Village in Madathukulam Taluk in Tiruppur District with a further direction to the 2nd respondent to rectify the wrong subdivision of said land and to issue fresh patta to the petitioner with correct survey number and correct extent of land i.e. Acre 1.20¾ cents based on the report of the 3rd respondent within a reasonable period to be fixed by this Court.

For Petitioner : Mr.C.Selvaraj
For Mr.R.Neelakandan

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

ORDER

Heard Mr.C.Selvaraj, learned counsel for Mr.R.Neelakandan, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader accepting notice on behalf of the respondents.

2.The petitioner seeks for a direction upon the 2nd respondent to survey the subject property and issue fresh patta to her with correct survey number and correct extent by considering her representation. The representation given with the office of the 2nd respondent has been forwarded to the 3rd respondent for conducting a survey and measuring the property through Petition Processing Portal in the Collectorate, Tiruppur dated 11.11.2019.

3.The petitioner is before this Court stating that though such a direction was given, the 3rd respondent has not taken action.

4.Mr.T.M.Pappiah, learned Special Government Pleader, on instructions, submitted that a detailed report has been prepared by the 3rd respondent and from the report, it is seen that there is no correction required in the extent of the property mentioned in the patta and that the claim made by the petitioner is not substantiated. However, this decision can be taken only by the 2nd respondent and the 3rd respondent has to submit a report to the 2nd respondent.

5.In the light of the above, this writ petition stands disposed of by directing the 3rd respondent to submit a survey report to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the report, the 2nd respondent shall consider the same. The 2nd respondent is directed to communicate a copy of the report to the petitioner and give the writ petitioner reasonable time to file her objections, if any, after which, the 2nd respondent shall consider the objections and pass orders on merits and in accordance with law within a period of four weeks from the date on which the petitioner gives her objections. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(abr)

To

1.The District Collector,
Tiruppur District,
Tiruppur.

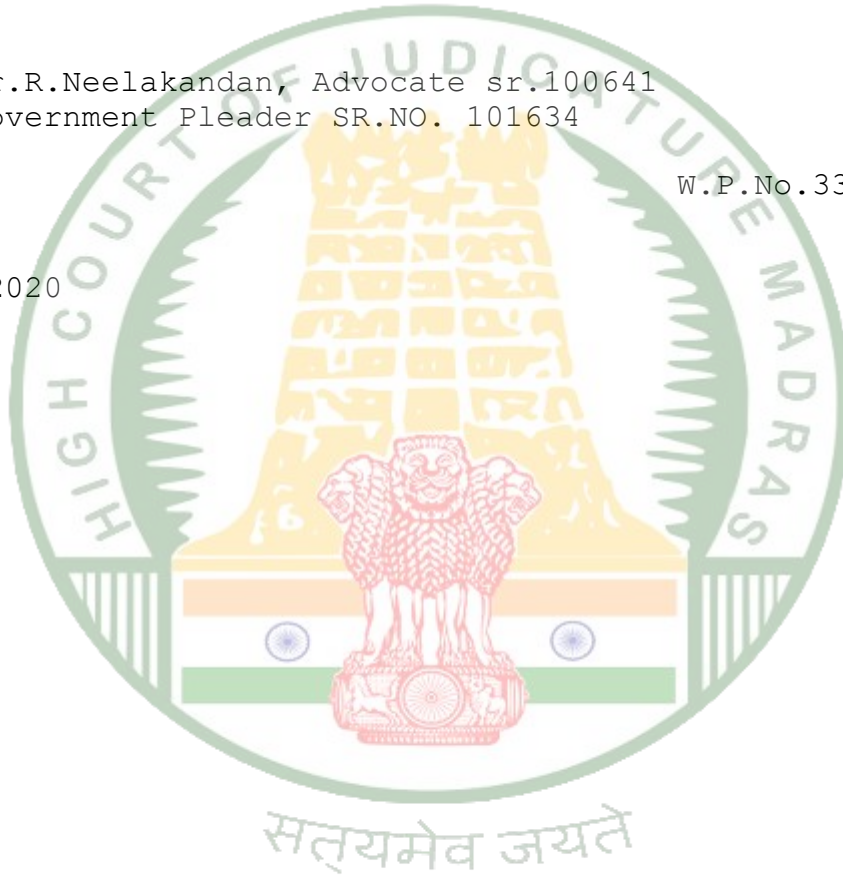
2.The District Revenue Officer,
Tiruppur.

3.The Asst. Director of Survey,
Tiruppur.

+1cc to Mr.R.Neelakandan, Advocate sr.100641
+1cc to Government Pleader SR.NO. 101634

W.P.No.33767 of 2019

br(co)
nr 13/01/2020



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