



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.17028 of 2019

R.Krishnamoorthy

... Petitioner

-Vs-

1.The District Revenue Officer,
Collectorate Office,
Kokkirakulam, Tirunelveli.

2.The Assistant Director of Survey,
District Survey Office,
Tirunelveli.

3.The Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to pass appropriate orders in the petitioner's representation dated 16.03.2016 and 21.09.2016 within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Kumar

For Respondents : Mr.P.Kannithevan, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to pass appropriate orders in the petitioner's representation dated 16.03.2016 and 21.09.2016 within a time frame to be fixed by this Court.

2.Heard Mr.S.Kumar, learned counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents.

3.In respect of the land in S.No.1178 at Munneerpallam village, Palayamkottai Taluk, Tirunelveli District, during the UDR survey,



there has been some discrepancy in the measurement. Therefore, in order to rectify the same, the petitioner has given representation on 16.3.2016 and 21.09.2016 to the 1st respondent with the copy to the 2nd respondent, pursuant to which, the 2nd respondent, vide communication dated 13.10.2016, directed the 3rd respondent to send a report to that effect and thereafter, it is claimed by the learned counsel appearing for the petitioner that when the petitioner had an enquiry with the 3rd respondent office, it was informed that the 3rd respondent already had sent a report as directed by the 2nd respondent to the 1st respondent office. In that circumstances, the learned counsel appearing for the petitioner would submit that based on the report, which has already claimed to have been submitted by the 3rd respondent, let the 1st respondent decide the application/representation given by the petitioner dated 16.03.2016 and 21.09.2016 and pass orders thereon, on merits and in accordance with law, within a time frame to be stipulated by this Court.

4.I have heard the learned Additional Government Pleader, who would submit that, if the report is already sent by the 2nd respondent based on which, the 1st respondent would pass orders and if the report is yet to be received by the 1st respondent, the same would be received and accordingly, final order would be passed by the 1st respondent.

5.Considering the said submission made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The respondents, especially, the 1st respondent shall pass orders on the representations of the petitioner dated 16.03.2016 and 21.09.2016, after getting necessary report from the 3rd respondent and such endeavour shall be undertaken by the 1st respondent and final order shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Revenue Officer,
Collectorate Office,
Kokkirakulam, Tirunelveli.

2.The Assistant Director of Survey,
District Survey Office,
Tirunelveli.

3.The Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli.

+1 CC to M/s.S.KUMAR, Advocate (SR-79610[F] dated 05/08/2019)

+1 CC to M/s.SPL GP (SR-79703[F] dated 05/08/2019)

Order made in
W.P. (MD) No.17028 of 2019
Dated: **01.08.2019**

JMN(19.12.2019) 3P : 6C