



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

Writ Petition (MD).No.23707 of 2019

C.Anna

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Pudukkottai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Illupppur & Taluk,
Pudukkottai District.

3.The Tahsildar,
Taluk Office,
Ponnamaravathy Taluk,
Pudukkottai District.

4.P.Manickam

5.V.Subbukannu

6.V.Raman

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to set right the mistake or discrepancy between 'A' Register and Filed Map in Survey No.814/6 of Maruthampatti Village, Karaiyur Revenue Village, Ponnamaravathy Taluk, Pudukkottai District in the light of the order of W.P(MD).No.14090 of 2018 dated 14.08.2018 and consequently direct to the second respondent to furnish the copies of 'A' register and Field Map of aforesaid Survey Number in 814/6 of Maruthampatti Village.

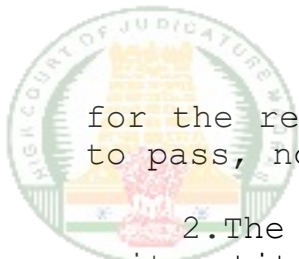
For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.M.Murugan (for R1 to R3)
Government Advocate

O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.K.Balasundharam, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing



for the respondents 1 to 3. In the light of the order we proposed to pass, notice to the respondents 4 to 6 is dispensed with.

2.The petitioner came before this Court earlier by filing a writ petition in W.P(MD).No.14090 of 2018 to remove the encroachment in public pathway in Village Survey No.814/6 of Maruthampatti Village, Karaiyur Post, Ponnamaravaathy Taluk, Pudukkottai District made by the respondents 4 to 6. Though the W.P(MD).No.14090 of 2018 has been filed for the relief stated supra, the said writ petition was disposed of by order dated 14.08.2018 directing the Tahsildar, Ponnamaravathy Taluk, to take necessary action for correction and setting aside the discrepancies between the 'A' registrar and Field Map in Survey No.814/6, Maruthampatti Village, Karaiyur Revenue Village, Ponnamaravathy Taluk, Pudukkottai District, within three months. In the meantime, the Tahsildar verified the records and found that there is an encroachment in the said property, which is classified as 'pathway'.

3.The learned Government Advocate submits that encroachment has been removed and fence put up by the respondents 4 to 6 has also been dismantled. Insofar as the correction of the revenue entries, the Tahsildar has submitted a report to the second respondent, namely the Revenue Divisional Officer, vide proceedings dated 12.11.2018 and the matter is now pending before the second respondent.

4.Considering the fact that the department accepts that there is a discrepancy in the revenue records, the same needs to be corrected by following the procedure under the relevant statute. Accordingly, we direct the second respondent to consider the report submitted by the Tahsildar by proceedings dated 12.11.2018 and if necessary, conduct an enquiry and proceed further in accordance with law making necessary corrections in the revenue records. This direction shall be complied with within a period of three months from the date of receipt of a copy of this order.

5.With the above directions, the Writ Petition is disposed of. No cost.

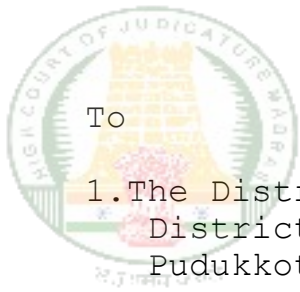
Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Rmk



To

1.The District Collector,
District Collector Office,
Pudukkottai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Illupppur & Taluk,
Pudukkottai District.

3.The Tahsildar,
Taluk Office,
Ponnamaravathy Taluk,
Pudukkottai District.

+1 CC to Mr.K.BAALASUNDHARAM, Advocate (SR-97208[F] dated
11/11/2019)

+1 CC to SPL GP (SR-97736[F] dated 12/11/2019)

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