

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11229 of 2020 &
W.M.P.No.13694 of 2020

R.Ponnusamy

...Petitioner

-Vs-

1.The District Collector, Collectorate
Tiruppur, Tiruppur District

2.The Revenue Divisional Officer
O/o. The Revenue Divisional Officer
Tiruppur

3.The Tahsildar, O/o. The Tahsildar
Avinashi, Tiruppur District

4. S.Vijayakumari

....Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to consider the petitioner representation dated 12.08.2020 for not to demarcate the property based on the sub division Survey No. 106/1A, 1B, 1C till the proper consideration of the petitioner representation for cancellation of the wrong sub-division made in S.No. 106/1 which is pending before the Respondents.

For Petitioner

:

Mr.R.Amardeep

For Respondents

:

Mr.AnnaiEzhil,
Government Advocate

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 12.08.2020 and not to demarcate the property till objection given by the petitioner is considered.

2. On an earlier occasion, the fourth respondent had approached this Court and filed W.P.No.6819 of 2020. In the said writ petition, She had sought for a relief to direct the second and third respondents to consider her representation and to conduct a survey and thereafter to demarcate the property situated in S.No.106/1, 106/1A, 106/1B and 106/1C. The petitioner was put on notice by the third respondent and the petitioner has also submitted his objections. The grievance of the petitioner is that the respondents are proceeding further to demarcate the property without considering the objections given by the petitioner.

3. Mr.Annai Ezhil, learned Government Advocate appearing on behalf of the respondents 1 to 3 submitted that the objection given by the petitioner is under consideration and the second respondent has already issued a notice dated 21.08.2020 to the petitioner and the fourth respondent, and the date of enquiry has been fixed as 02.09.2020 at 4.00 P.M. A copy of the said notice was also produced before this Court.

4. Taking into consideration the subsequent development that has taken place in this case, there shall be a direction to the second respondent to consider the claim made by the petitioner and the fourth respondent and to pass appropriate orders strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The demarcation of the property shall take place only after the orders are passed, considering the claim / objection made by the respective parties.

5. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

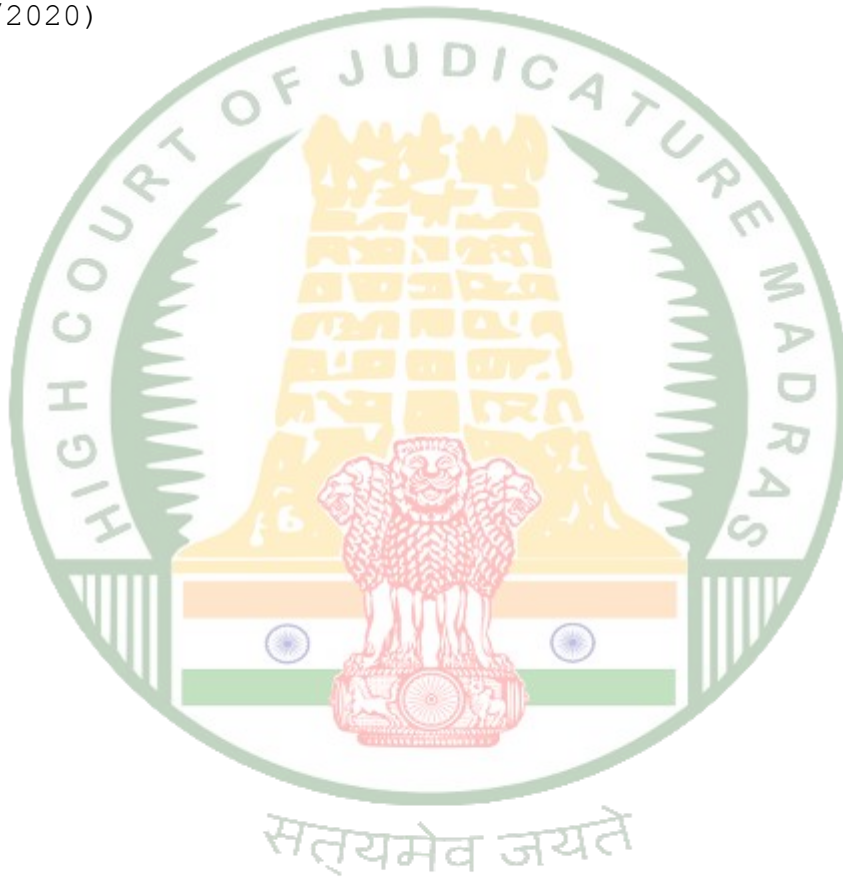
1.The District Collector, Collectorate, Tiruppur, Tiruppur District

2.The Revenue Divisional Officer,O/o. The Revenue Divisional Officer, Tiruppur.

3.The Tahsildar, O/o. The Tahsildar, Avinashi, Tiruppur District
+1cc to Mr.R.Amardeep, Advocate SR.27472
+1cc the Government Pleader, in SR.27762

W.P.No.11229 of 2020

NRL (CO)
RV (08/09/2020)



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