



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.07.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.304 of 2020

S.Dinesh Vinayak

...Petitioner

Vs

1.The District Collector,
Tirunelveli District.

2.The Assistant Director (Survey),
District Survey Office,
Tirunelveli District.

3.The Tahsildar,
Kuruvikulam Union,
Thiruvengadam Village,
Kalukumalai,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to survey land in S.F.No.1243/1D situated at Kuruvikulam Union, Thiruvengadam Village, Kalukumalai Sub Division, Tirunelveli District and to direct the respondents to issue FMB Sketch Free of plotting errors.

For Petitioner : Ms.Parameswari for
Mr.S.M.S.Johnny Basha

For Respondents : Mr.R.Sethuraman
Special Government Pleader

ORDER

This writ petition is filed to direct the respondents to survey land in S.F.No.1243/1D situated at Kuruvikulam Union, Thiruvengadam Village, Kalukumalai Sub Division, Tirunelveli District and to direct the respondents to issue FMB Sketch Free of plotting errors.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.According to the petitioner, he made a representation dated 14.06.2018 to the 2nd respondent to survey the land in S.F.No.1243/1D, to correct the plotting error on the eastern side of the aforesaid property and to carry out the aforesaid correction in the FMB Register. But, on such representation no action has been taken. Hence, the present writ petition.



4.The learned Special Government Pleader appearing for the respondents would submit that though the respondents have issued notice to the petitioner to appear for enquiry, he did not appear for enquiry. Further, he would submit that if the petitioner appears for enquiry, the 2nd respondent shall conduct an enquiry and pass appropriate orders on the petitioner's representation dated 14.06.2018.

5.In reply, the learned counsel appearing for the petitioner would submit that due to the complete lockdown on account of the COVID-19 pandemic, the petitioner was unable to appear before the authorities concerned for enquiry. He further undertook that as soon as the lockdown is lifted, the petitioner will appear before the authorities concerned for enquiry.

6.By recording the aforesaid submission made by the learned counsel for the petitioner, this Court is inclined to pass the following direction:-

The petitioner is directed to appear before the 2nd respondent immediately for enquiry, after the lockdown is lifted and after such appearance, the 2nd respondent shall proceed with the enquiry and dispose of the matter, by considering the petitioner's representation dated 14.06.2018, on merits and in accordance with law, within a period of twelve weeks therefrom.

7.This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

To

1.The District Collector,Tirunelveli District.

2.The Assistant Director (Survey),
District Survey Office,Tirunelveli District.

3.The Tahsildar,
Kuruvikulam Union,Thiruvengadam Village,
Kalukumalai, Tirunelveli District.

W.P. (MD) No.304 of 2020

10.07.2020

AP(16/07/2020) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>