



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.2497 of 2018

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Chandra

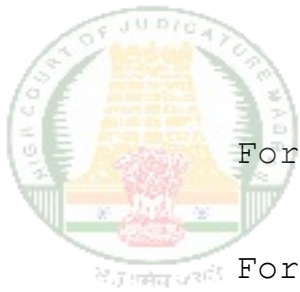
... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The District Revenue Officer,
Office of the District Revenue Office,
Dindigul.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Vedasandur,
Dindigul District.
- 4.The Tahsildar,
Vedasandur Taluk,
Dindigul District.
- 5.The Block Development Officer,
Vedasandur Union,
Dindigul District.
- 6.The Surveyor,
Vedasandur Taluk,
Dindigul District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the fourth and sixth respondent to earmark the house sites based on the notice dated 27.11.2017 within the time frame fixed by this Court and consequently direct the fifth respondent to monitor that there should not be any encroachment in the public pathway running East to West direction in their locality in any manner.



For Petitioner : Ms.V.Muthumani
for Mr.R.Senthil Kumar

For RR 1 to 4 & 6 : Mr.P.Kannidevan
Additional Government Pleader

For R - 5 : Mr.K.Mu.Muthu

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ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the fourth and sixth respondent to earmark the house sites based on the notice dated 27.11.2017 within the time frame fixed by this Court and consequently directing the fifth respondent to monitor that there should not be any encroachment in the public pathway running East to West direction in their locality in any manner.

2. According to the petitioner, she purchased a house site to an extent of 10 cents in Survey Nos.933/2 and 933/3 and she is in possession and enjoyment of the aforesaid property. The petitioner sent a representation dated 14.09.2017 to the respondents seeking to earmark the house sites and the fourth respondent had sent a notice dated 27.11.2017 to the petitioner and other parties to appear for enquiry on 04.12.2017 along with necessary documents. So far the respondents have not taken any steps to ear mark the boundaries. Hence, the petitioner has filed the present Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 and 6, on instructions, submitted that since there is a dispute with regard to the above said properties, the parties have to approach the civil Court to work out their remedy and hence, the authority concerned is not in a position to consider the representation of the petitioner and he has also produced the proceedings passed by the Tahsildar in Na.Ka.No.E1/1157/2020, dated 21.07.2020.

4. Considering the submissions made by the learned counsel appearing on either side, the fourth respondent shall communicate the reasons for rejection to survey the property to the petitioner within a period of four weeks from the date of receipt of a copy of this order.



5. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The District Collector,
Office of the District Collector,
Dindigul District.
2. The District Revenue Officer,
Office of the District Revenue Office,
Dindigul.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Vedasandur, Dindigul District.
4. The Tahsildar, Vedasandur Taluk,
Dindigul District.
5. The Block Development Officer,
Vedasandur Union, Dindigul District.
6. The Surveyor, Vedasandur Taluk,
Dindigul District.

+1 CC to M/s.GP (SR-16651[F] dated 11/09/2020)

Order made in
W.P. (MD) No. 2497 of 2018
Dated: 09.09.2020

srk(CO)
TR(16.09.2020) 3P 8C