



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **14.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.10747 of 2018

WEB COPY

Rahamathudullah

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Deputy Director of Survey
District Court Trichy Campus near Cantonment,
Trichy District.

3.The Assistant Director of Survey,
Collector's Office,
Pudukkottai.

4.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

5.Soundarrajan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to initiate appropriate disciplinary proceedings at departmental level as well as under relevant provisions of the IPC for tampering with government record and illegally altering the measurement of the Panchayat Road in the FMB sketches of Survey No.134/1 and 134/2, Merpanaikadu Village, Aranthangi Taluk, Pudukkottai District within the time stipulated by this Court.

For Petitioner

: Mr.M.M.Iqbal

For Respondents 1 to 4

: Mr.K.P.Krishnadoss

Special Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the third respondent to initiate appropriate disciplinary proceedings at departmental level as well as under relevant provisions of the IPC for tampering with government record and illegally altering the measurement of the Panchayat Road in the FMB sketches of Survey No.134/1 and 134/2, Merpanaikadu Village, Aranthangi Taluk, Pudukkottai District within the time stipulated by this Court.



2. Heard the learned counsel appearing for the petitioner as well as Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents 1 to 4. Private notice served to the fifth respondent and proof also filed.

3. According to the petitioner, the petitioner is having agricultural property in Survey No.134/4 at Merpanai Kadu Village, Aranthangi Taluk, Pudukkottai District and Survey No.134/2 is the pathway, which is the panchayat road. The third respondent was working as Surveyor in the Revenue Department and using his influence, he made encroachment in the said pathway by reducing the breadth of the pathway from 5.6 meters to 4.6 meters in the FMB sketch, in order to add one meter of the land situated in S.No.134/1, which was owned by him, due to which the petitioner and the general public are affected by this illegal act of blockage of the pathway. Hence, this writ petition.

5. It is represented by the learned Special Government Pleader that the fifth respondent is not responsible for the alteration made in FMB sketch.

6. This Court is not inclined to go into those aspect. In case, the authorities find out the person, who is responsible in altering the FMB sketch, if he is in service departmental proceedings shall go on and if he is not in service, criminal action has got to be taken against the person. Both the actions are simultaneously go on.

7. With the above direction, this writ petition stands disposed of. No Costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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

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Pudukkottai District.

+1cc to the SPL GP SR.No.25565.

**W.P (MD) No.10747 of 2018
14.12.2020**

PV(CO)
CS(07.01.2021) 3P 6C