



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD)No.5451 of 2017

C.Kanagalakshmi @ Esakiammal

...Petitioner

Vs.

1.The Tahsildar,
Kovilpatti Taluk,
Tuticorin District.

2.The Commissioner,
Kovilpatti Municipality,
Tuticorin District.

3.The Town Planning Officer,
Municipal Office,
Kovilpatti,
Tuticorin District.

...Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue the Town Survey Register to the petitioner in respect of Town Survey No.1/2, Ward 'B' Block-II, Kovilpatti at Muthananthapuram 1st Street, Kovilpatti.

For Petitioner : Mr.M.Veilkani Raju
For R1 : Mrs.S.Srimathy
Special Government Pleader
For R2 : Mr.J.Parekhkumar

O R D E R

Heard Mr.M.Veilkani Raju, learned counsel appearing for the petitioner, Mrs.S.Srimathy, learned Special Government Pleader appearing for the first respondent and Mr.J.Parekhkumar, learned counsel appearing for the second respondent.

2. Though serious allegations have been made against each other, I am of the view that it is not necessary for this Court to go into the same. The petitioner's case is that T.S.No.1, Ward 'B' Block-II, Muthananthapuram 1st Street, Kovilpatti has been subdivided into T.S.No.1/2. He wants the respondents to issue the relevant extract.

3. When the matter was taken up for hearing, the learned counsel for the second respondent submitted that T.S.No.1 of Kovilpatti Taluk has not been subdivided and the proceedings relied upon by the petitioner are not in existence. It is further claimed



that the petitioner had encroached on the same.

4. In view of the above, the second respondent is directed to issue a communication to the petitioner enclosing the copy of the extract of T.S.No.1 of Kovilpatti Taluk and also setting out the response to the petitioner's contentions. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. If the petitioner is still aggrieved, it is open to the petitioner to challenge the said communication.

5. With the above direction to the second respondent and liberty to the petitioner, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Tahsildar,
Kovilpatti Taluk,
Tuticorin District.
- 2.The Commissioner,
Kovilpatti Municipality,
Tuticorin District.
- 3.The Town Planning Officer,
Municipal Office,
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