

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.7549 of 2021

Padmavathi

...

Petitioner

Vs

1. The District Collector,  
Salem District,  
Salem - 636 001
2. The Revenue Divisional Officer,  
Attur, Salem District.
3. The Tahsildar,  
Gangavalli Taluk,  
Salem District.
4. The Executive Officer,  
Gangavalli Town Panchayat,  
Gangavalli, Salem District

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 30.07.2020 and pass necessary orders to cancel the sub divisions effected in Survey No.13/2 as S.No.13/2A and 13/2B and to cancel the entry in S.No.13/2A as public road and to amend the same by showing the petitioner's name as sole pattadar in (Old S.No.13/2) New S.No.13/2A and 13/2B in Gangavalli Village, Gangavalli Taluk, Salem District.

For petitioner ... Mr. P. Jagadeesan

For respondents ... Mr.M. Manigopi  
Gov. Advocate

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to consider the petitioner's representation dated 30.07.2020.

2. The grievance of the petitioner is that a portion of the land belongs to the petitioner has been shown as road, without any notice to the petitioner. Hence, he made a representation to the third respondent directing to cancel subdivision and pass suitable orders. Earlier, the petitioner has made a representation to the 2nd respondent, Revenue Divisional Officer, in turn, the 2nd respondent by his proceeding dated 24.08.2020, directed the 3rd respondent, Tahsildar, Gangavalli to consider the petitioner's representation and pass suitable orders. But, so far no order has been passed by the third respondent. Hence, the present writ petition is filed.

3. The learned counsel for the petitioner would submit that even though the Revenue Divisional Officer directed the third respondent, Tahsildar, to consider the petitioner's representation and pass suitable orders, but till date no order has been passed as on date and hence, the third respondent, Tahsildar, may be directed to consider the petitioner's representation and pass suitable orders.

4. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the petitioner's representation is pending with the third respondent, without going into the merits of the case, the third respondent is directed to consider the petitioner's representation dated 30.07.2020 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as other affected parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The District Collector,  
Salem District,  
Salem - 636 001.
2. The Revenue Divisional Officer,  
Attur, Salem District.
3. The Tahsildar,  
Gangavalli Taluk,  
Salem District.
4. The Executive Officer,  
Gangavalli Town Panchayat,  
Gangavalli, Salem District

+1cc to Mr.P.Jagadeesan, Advocate, S.R.No.23460

+1cc to the Government Pleader, S.R.No.23688

W.P. No. 7549 of 2021

PCH(CO)  
CB(21/05/2021)



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