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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.22746 OF 2021

Parameswari

... Petitioner

Vs.

1. The District Collector, Tirupattur.
2. The District Revenue Officer, Tirupattur.
3. The Tahsildar, Tirupattur.

....Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to rectify the wrong entry in the FMB pertaining to S.Nos.424, 413 and 421, B. Badhrapalli Village, Tirupattur, with respect to 10 cents and to restore the same in the name of the petitioner.

For Petitioner : Ms.R.Poornima

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to rectify the wrong entry in the FMB pertaining to S.Nos.413, 421 and 424 B.Badhrapalli Village, Tirupattur, with respect to 10 cents and to restore the same in the name of the petitioner.

2. According to the petitioner, the aforesaid property is an ancestral property, which was allotted to her father namely Govindasamy and they are in possession and enjoyment of the said property carrying out agricultural activities. Subsequently, all the Revenue Records had been mutated in her father name. While



so, she came to know that in the FMB without her knowledge 10 cents of their land have been included in the name of the adjacent owner, who is taking advantage of the same, the adjacent owner attempting to encroach the petitioner's portion of land. However, the adjacent owner is entitled only measuring to an extent of 65 cents, whereas, the 10 cents have been wrongly included in their names. Thereafter, she gave a representation dated 04.08.2021 to the respondents herein requesting them to rectify the wrong entry mistake in the FMB so as to enable her to sell the property for the sake of the petitioner's daughter marriage, but, till date, no action has been taken by the respondents. Hence, the petitioner has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representation dated 04.08.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 04.08.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of sixteen weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

gba/msm

To

1. The District Collector,
Tirupattur.



2. The District Revenue Officer,
Tirupattur.

3. The Tahsildar,
Tirupattur.

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+1cc to Government Pleader, S.R.No.55385

W.P.No.22746 of 2021

PA(CO)
CS/30/11/2021