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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.31678/2019

[Video Conferencing]

L.Gopiyaz

... Petitioner

Versus

1. The District Collector
Cuddalore.

2. The Tahsildar
Panruti Taluk
Panruti.

... Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to effect necessary mutation in the survey and revenue records including FMB Sketch in survey No.250/7 of Panikankuppam Village, Panruti Taluk, Cuddalore District and thereby delete the sub division effected in the above said survey number to the extent of 2 meter east west and 42 meter north south and to restore the records to the original position.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) The writ petition has been filed seeking a direction against the respondents to effect necessary mutation in the survey and in the revenue records including the FMB Sketch with respect to S.No.250/0, Panikankuppam Village, Panruti Taluk, Cuddalore District and delete the subdivision which had been effected with respect to the said survey number to an extent of 2 meter East to West and 42 meter North to South and to restore the records to the original position.



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- (2) In the affidavit filed in support of the said writ petition, it had been stated that the petitioner is residing in Panikankuppam Village in Door No.59 and the house is situated in S.No.250/7. The measurements of the house are also been given, but, however, it is stated that a dispute had been raised by the third party and thereafter, it is also stated that though a suit was filed, the suit was dismissed. The First Appeal filed by the said party, was also dismissed. It appears that in the survey and revenue records and also in the FMB Sketch with respect to the said property, the sub-division which had been given, had been wrongly stated and therefore, a representation in this regard, had been given by the petitioner herein on 09.11.2018 and since there had been no effective action on the same, a further representation had been given on 01.10.2019.
- (3) I would issue a mandamus, particularly to the 2nd respondent/Tahsildar, Panruti Taluk, Cuddalore District, to examine the representation, invite the petitioner for an enquiry, examine the revenue records, also issue notice to any other party who might be interested in the proceedings and thereafter take a considered decision on the representation made by the petitioner herein. The petitioner may also give a fresh copy of the earlier representation along with the necessary records including the records relating to the suit and First Appeal and also the revenue records to the 2nd respondent/Tahsildar. Such representation should be given by the petitioner within a period of two weeks from the date of receipt of a copy of this order and thereafter, an obligation is placed on the 2nd respondent/Tahsildar to enquire in the manner as aforesaid and dispose of the representations within a further period of twelve weeks.
- (4) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

AP



To

1. The District Collector
Cuddalore.

2. The Tahsildar
Panruti Taluk
Panruti.

+1cc to M/s.N.Suresh , Advocate, S.R.No.41660

WP.No.31678/2019

(CO)
SU(09/09/2021)