

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.24214 of 2021

1.Jeyanthi Shanmuga Sundaram

2.Suganthi

Both rep.by

Power Agent R.Suresh

S/o.G.Ranganathan

... Petitioners

vs.

1. The Commissioner of Town and Country Planning,
Directorate of Town and Country Planning,
807, Anna Salai,
Chennai 600 002.

2. The Member Secretary,
Salem Local Planning Authority,
5/601-B, Balaji Street,
Subramania Nagar,
Salem 606 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to rectify the records relating to the Northern Portion of the petitioner's property comprised in S.No.27/2C2, Bodinaickenpatty Village of Salem Taluk, Salem City Municipal Corporation measuring an extent of 2.44 Acres and currently resurveyed and situated in detailed Town Survey Ward 'N' Block No.38, bearing Town Survey Nos.77/1 and 80, with a total extent of 0.9878, Hectares by removing the endorsement " EXISTING MAYANAM".

For Petitioner : Mr.P.B.Sampath Kumar

For Respondents : Mrs.C.Meera Arumugam
Addl.Govt.Pleader.

ORDER

This writ petition has been filed by the petitioner to issue a writ of Mandamus, directing the respondents to rectify the records relating to the Northern Portion of the petitioner's property comprised in S.No.27/2C2, Bodinaickenpatty Village of Salem Taluk, Salem City Municipal Corporation measuring an extent of 2.44 Acres and currently resurveyed and situated in detailed Town Survey Ward 'N' Block No.38, bearing Town Survey Nos.77/1 and 80, with a total extent of 0.9878, Hectares by removing the endorsement " EXISTING MAYANAM".

2. Pending disposal of the writ petition, the other developments are taken place. The Assistant Director of Town and Country Planning has sent detailed communication dated 17.11.2020 vide ROC.No.2687/2020/SD and has also given an inspection report to the first respondent stating that the land in question was the property of the petitioner and that no burial ground exist in the said property and that appropriate corrections may be carried out in the entries made.

3. A Copy of the communication dated 17.11.2020 of the Assistant Director of Town and Country Planning, District Town and Country Planning Office, bearing Reference Roc.No.2687/2020/SD stands recorded.

4. In view of the above, the respondents are directed to carry out the necessary corrections in the records, within a period of four weeks from the date of receipt of a copy of this order.

5. This writ petition stands allowed with the above direction. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

kkd

To

1. The Commissioner of Town and Country Planning,
Directorate of Town and Country Planning,
807, Anna Salai,
Chennai 600 002.
2. The Member Secretary,
Salem Local Planning Authority,
5/601-B, Balaji Street,
Subramania Nagar,
Salem 606 005.

+1cc to Mr.P.B.Sampath Kumar, Advocate, S.R.No.38439

+1cc to the Government Pleader, S.R.No.39335

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GPL(CO)
UMA(13/07/2022)