



WEB COPY



WP.No.25214 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.25214 of 2022
and W.M.P.No.24161 of 2022

T.Parimaladevi

.. Petitioner

Versus

1.The District Collector
District Collectorate
Palladam Road
Tirupur District

2.The District Revenue Officer
Collectorate Campus
Tiruppur District

3.The Revenue Divisional Officer
Tiruppur Revenue Division
Tiruppur District

4.The Tahsildar
Tiruppur South Taluk Office
Tiruppur District

5.The Taluk Land Surveyor
Tirupur South Taluk
Tiruppur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to conduct



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an enquiry in terms of compliance with the Office memorandum issued by the 2nd respondent in OO.Mu. 19826/ 2022/ J dated 5.08.2022 by affording a reasonable opportunity of fair hearing to the petitioner and to carry out comprehensive field survey measurement as per the old FMB sketch with the assistance of 5th respondent in the lands comprised in Survey Numbers 931/1A1, 931/1A2, 931/1B1 and 931/1B2 at South Avinashipalayam Village, Tirupur South Taluk, Tirupur District.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This writ petition is filed seeking for issuance of Writ of Mandamus to direct the 4th respondent to conduct an enquiry in terms of compliance with the Office memorandum issued by the 2nd respondent in OO.Mu. 19826/ 2022/ J dated 5.08.2022 by affording a reasonable opportunity of fair hearing to the petitioner and to carry out comprehensive field survey measurement as per the old FMB sketch with the assistance of 5th respondent in the lands comprised in Survey Numbers 931/1A1, 931/1A2, 931/1B1 and 931/1B2 at South Avinashipalayam Village, Tirupur South Taluk, Tirupur District.

2. The learned counsel for the petitioner submitted that the petitioner is the owner of the property in S.Nos.931/1A and 929/2A measuring extent of 7.76 and 1.48 acres respectively by virtue of sale deed registered in



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Doc.No.13265/2006 on the file of the SRO, Palladam. The grievance of the petitioner is that the respondent in the newly FMB sketch, survey numbers are erroneously changed without providing any opportunity of hearing to the petitioner. Hence, the petitioner made a representation to the Chief Minister's Special Cell on 19.07.2021 seeking for restoring the entries in the FMB Sketch, which was forwarded to the respondents. The second respondent has instructed the fourth respondent vide Office Memorandum in OO.Mu.1986/2022/J to conduct enquiry and pass order, which is pending till date. Hence, seeks appropriate orders of this Court.

3. Heard both sides and perused the materials placed on record. Considering the facts and circumstances of this case and having regard to the submissions of the learned counsel for the petitioner, this Court directs the fourth respondent to conduct enquiry in terms of the Office Memorandum in OO.Mu.1986/2022/J and pass appropriate orders on merits in accordance with law after providing opportunity of hearing to the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order.

4. Accordingly, this writ petition stands disposed of. No costs.



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Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Internet: Yes/No
dhk

To

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M.DHANDAPANI, J.



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