



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3303 of 2022

K.Ramakrishnan

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram.

3.The Revenue Divisional Officer,
Ramanathapuram.

4.The Thasildar,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 to 4 to cancel the wrong sub-divisions of the Survey No.358/7A as 358/7A1, 358/7A2 and 358/7A3 situated at Patanamkathan Revenue Village, Ramanathapuram District by considering the petitioner's representation dated 01.07.2021.

For Petitioner : Mr.S.Ramasamy

For Respondents: Mr.B.Saravanan

Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 to 4 to cancel the alleged wrong sub-divisions of the Survey No.358/7A as 358/7A1, 358/7A2 and 358/7A3 situated at Patanamkathan Revenue Village, Ramanathapuram District based on the petitioner's representation dated 01.07.2021 and pass orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that wrong sub-divisions have been made in Survey No.358/7A as 358/7A1, 358/7A2 and 358/7A3 in respect of the property situated at Patanamkathan Revenue Village, Ramanathapuram District. The petitioner has given a representation dated 01.07.2021 to the respondents requesting them to correct the mistake. Since the said representation has not been considered till date, he has filed this writ petition.



3.Heard Mr.S.Ramasamy, learned Counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.The petitioner claims that by mistake wrong sub-divisions have been made for the aforementioned property. He has given a representation on 01.07.2021 to the respondents to correct the mistake. Admittedly, the said representation has not been considered till date. No prejudice would be caused to the respondents if the petitioner's representation dated 01.07.2021 is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner and other rival claimants.

5.It is also the contention of the petitioner that by mistake sub-divisions have been made in favour of one Gowri and Asaithambi and according to the petitioner, they have also given no objection for rectifying the mistake, provided the revenue authorities do so.

6.Accordingly, this Court directs the fourth respondent to consider the petitioner's representation dated 01.07.2021 seeking for a direction to cancel the wrong sub-divisions in Survey No.358/7A as 358/7A1, 358/7A2 and 358/7A3 situated at Patanamkathan Revenue Village, Ramanathapuram District and pass final orders on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as the rival claimants including Gowri and Asaithambi within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CSIII)

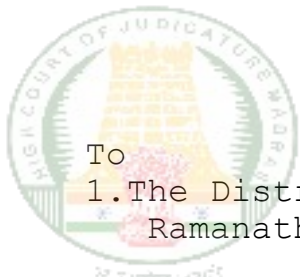
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/ /2022

Sub Assistant Registrar(CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram.

3.The Revenue Divisional Officer,
Ramanathapuram.

4.The Thasildar,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-8043[F] dated 23/02/2022)

ORDER MADE IN
W.P. [MD]No.3303 of 2022
22.02.2022

PKP/03.03.2022/3P/6C