



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) No.4553 of 2022

WEB COPY

Ramakrishnan

... Petitioner

Vs

The District Revenue Officer,
Madurai.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to rectify the error in the Field Map Book of Town Survey No.108 and 109, Block II, Survey Ward 14 of Madurai Corporation as in the Old Survey No19/2, Resurvey No.23/32 of Bibikulam Village, Maduai Taluk, by considering the representation, dated 21.02.2022, by giving fair and reasonable opportunity to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.RM.Arun Swaminathan, Advocate

For Respondent : Mr.T.Amjad Khan
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to rectify the error in the Field Map Book of Town Survey No.108 and 109, Block II, Survey Ward 14 of Madurai Corporation as in the Old Survey No19/2, Resurvey No.23/32 of Bibikulam Village, Maduai Taluk, by considering the representation, dated 21.02.2022, within a time frame to be fixed by this Court.

2.The case of the petitioner is that in the Field Map Book of the aforesaid property the survey number has been wrongly mentioned. In such circumstances, the petitioner seeks for rectification of the same and submitted a representation, dated 21.02.2022, to the respondent. Since his representation has not been considered till date, he has filed this writ petition.



3. Heard Mr. RM. Arun Swaminathan, learned counsel appearing for the petitioner and Mr. T. Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondent.

4. On instructions, the learned Government Advocate, would submit that the said survey number, which the petitioner seeks to rectify, falls within the B.B. Kulam kanmoi and it is also the contention of the learned Government Advocate that the petitioner is an encroacher and notice has also been issued to him. The said statement is recorded.

5. The representation of the petitioner has already been forwarded to the Tahsildar, by the District Collector for necessary action. Since the District Collector has forwarded the representation of the petitioner, no prejudice will be caused to the respondent, if the representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

6. Accordingly, this Court directs the respondent to consider the petitioner's representation, dated 21.01.2022, requesting the respondent to rectify the error in the Field Map Book of Town Survey No. 108 and 109, Block II, Survey Ward 14 of Madurai Corporation as in the Old Survey No. 19/2, Resurvey No. 23/32 of Bibikulam Village, Madurai Taluk, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TM

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.

<https://hcservices.courts.gov.in/hcservices/>



To

The District Revenue Officer,
Madurai.

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+1 CC to M/s.SPL GP (SR-12452[F] dated 16/03/2022)

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SP/23/03/2022/3P/3C