



WEB COPY



W.P.No.4439 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.4439 of 2023

P.M.Gunasekaran

.... Petitioner

-Vs-

- 1 The District Collector
Namakkal District Collectorate Tiruchengode
Road Namakkal.
- 2 The District Revenue Officer
Namakkal District Namakkal District
Collectorate Tiruchengode Road Namakkal.
- 3 Revenue Divisional Officer
Tiruchengode Taluk P.Velur Road
Tiruchengode Namakkal District.
- 4 Tahsildar
Kumarapalayam Taluk
Kumarapalayam Namakkal
District.
- 5 Taluk surveyor
Kumarapalayam Taluk
Kumarapalayam, Namakkal District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to correct the extent from 0.05.0 Hec to 0.06.05 Hec in the joint patta No.357 and make sub-division of the lands comprised in S.No.182/ 1AAG situated at Elanthaikuttai



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Village Kumarapalayam Taluk Namakkal district based on the report submitted by the respondents 4 and 5 consequent to the representation of the petitioner dated 08.05.2021.

For Petitioner : Mr.G.Santhanu
For Respondent : Mrs.N.Senthilselvi
Government Advocate

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 2 and 3 to correct the extent from 0.05.0 Hec to 0.06.05 Hec in the joint patta No.357 and make sub-division of the lands comprised in S.No.182/ 1AAG situated at Elanthaikuttai Village, Kumarapalayam Taluk, Namakkal district based on the report submitted by the respondents 4 and 5 consequent to the representation of the petitioner dated 08.05.2021.

2. In respect of the land situated at S.No.182/ 1AAG situated at Elanthaikuttai Village, Kumarapalayam Taluk, Namakkal district, the petitioner had given an appeal before the 3rd respondent Revenue Divisional Officer on 08.05.2021 and in order to consider the same the present writ petition has been filed.

3.Heard Mr.G.Santanu, learned counsel for the petitioner and Mr.R.P.Muruganraja learned Government Advocate for the respondents.



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4. Learned Government Advocate submits that the said appeal filed by the petitioner would be considered and decided by the 3rd respondent Revenue Divisional Officer on merits and in accordance with law after giving an opportunity of being heard to both the petitioner as well as the rival claimants if any and necessary orders would be passed within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Government Advocate, there shall be a direction to the 3rd respondent Revenue Divisional Officer to consider the appeal filed by the petitioner dated 08.05.2021 on merits and in accordance with law after giving an opportunity of being heard to both the petitioner as well as the rival claimants if any and pass necessary orders within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

15.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST



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R. SURESH KUMAR, J.

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