



W.P.No.6073 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.6073 of 2023

and

W.M.P.No.6105 of 2023

M.Ghousebhir

... Petitioner

versus

1.The Collector,
Tiruppur District Collector Office,
Tiruppur – 641 604.

2.The Revenue Divisional Officer and
Sub-Collector,
The Revenue Divisional Office,
Soosaiyapuram,
Tiruppur – 641 687.

3.The Tahsildar,
Tiruppur South Taluk Office,
Sevanthampalayam,
Tiruppur – 641 606,
Tiruppur District.

4.The Sub-Registrar,
Nallur Sub-Registration Office,
Kangeyam Road, Nallur,
Tiruppur – 641 606.

.... Respondents



W.P.No.6073 of 2023

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second and third respondents to consider the petitioner's representation dated 10.11.2022, and also directing the second and third respondents to return back their letter which sent to the fourth respondent on 30.09.2022 and 07.10.2022 and remove the content that surplus land in 'A' registry of the petitioner's property vide Survey No.66/17, Nallur, Tiruppur District, which was illegally mentioned by the second and third respondents.

For Petitioner : Mr.Mohanakrishnan
for M/s.Mohammed Musthaqem Raja

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the second and third respondents to consider the petitioner's representation dated 10.11.2022, wherein and whereby, the petitioner sought to remove the entry of surplus land in the 'A' register in respect of his property situated in Survey No.66/17, Nallur, Tiruppur District and also directing the second and third respondents to return back



W.P.No.6073 of 2023

their letters, which was sent to the fourth respondent on 30.09.2022 and 07.10.2022.

2. The learned counsel for the petitioner submitted that originally the petitioner and two others viz., M.Selvaraj and R.Poongothai have purchased the property situated at Nallur Village, Old Patta No.32, New Patta No.5066, Survey No.66/1A, Tiruppur District, measuring to an extent of 1.40 acres, comprised with Old Survey No.66/1A4A1A1B, New Sub division No.66/17 and new Patta No.5985. While so, the petitioner had applied for sub-division of the said property, and also obtained the same vide new Sub Division No.66/17 on 21.10.2022 with the office of the fourth respondent and also obtained FMB Map through online on 18.12.2022 by the third respondent and the same were entered into 'A' Register. While that be so, the petitioner came to know that the third respondent sent a letter to the fourth respondent, mentioning that the petitioner's property is called as excess land or surplus land in the 'A' Register and also directed the fourth respondent to stop further documentation of registration in respect of the subject property. Hence, the



W.P.No.6073 of 2023

petitioner has given a representation dated 10.11.2022 to remove the entries of surplus land in the 'A' register, however, the respondents have not considered the same and hence, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for respondent submitted that respondents 2 and 3 may be directed to consider the petitioner's representation and pass orders on merits in accordance with law.

4. Heard both sides and perused the materials available on record.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, the second and third respondents are directed to consider the representation of the petitioner dated 10.11.2022, and pass appropriate orders, on merits and in accordance with law, after giving notice to the petitioner, interested parties, rival claimants and/or adjacent owners, and after conducting enquiry, within a period of two months from the date of receipt of a copy of this order.

Pg.Nos.4/6



W.P.No.6073 of 2023

6. With the above direction, this writ petition is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

24.11.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

To

- 1.The Collector,
Tiruppur District Collector Office,
Tiruppur – 641 604.
- 2.The Revenue Divisional Officer and Sub-Collector,
The Revenue Divisional Office,
Soosaiyapuram, Tiruppur – 641 687.
- 3.The Tahsildar,
Tiruppur South Taluk Office,
Sevanthampalayam,
Tiruppur – 641 606, Tiruppur District.
- 4.The Sub-Registrar,
Nallur Sub-Registration Office,
Kangeyam Road, Nallur,
Tiruppur – 641 606.

Pg.Nos.5/6



WEB COPY



W.P.No.6073 of 2023

P.VELMURUGAN, J.

ms

W.P.No.6073 of 2023

24.11.2023

Pg.Nos.6/6