



Writ Petition No.17160 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.06.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.17160 of 2023

Kesavankrishnasamy
S/o.V.Krishnasamy Naidu

...Petitioner

Vs

1.The District Collector,
District Collectorate,
Erode - 638 011.

2.The Tahsildar,
Taluk Office,
Modakurichi - 638 104.

3.The Assistant Director of the Land
Survey & Records Department,
Office of the Land Survey & Records Department,
Erode - 638 011.

4.The Deputy Director,
Directorate of Town and Country Planning,
Erode - 638 011.

5.The Circle Sub-Inspector,
Survey Division,
Modakurichi - 638 104.

6.The President,
Lakkapuram Panchayat,
Lakkapuram - 638 002.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent herein to correct the sub-division of Natham land record and the Field Map in respect of Survey No.125/3, Lakkapuram Village, Modakurichi Panchayat Union, Erode Taluk, Erode District as per the approved layout granted by the Coimbatore Deputy Director, Directorate of Town and Country Planning in the year 1985 in LP/R(CPN) 78/85.

For Petitioner : Mr.R.Sanjay

For Respondents : Mr.A.M.Ayyadurai
Government Advocate [R1 to R5]
Mr.S.Ravichandran
Additional Government Pleader [R6]

ORDER

When the writ petition came up for admission on 09.06.2023, this Court pointed out to the learned counsel for the petitioner that the second respondent, viz., Tahsildar had already considered the claim made by the petitioner and had issued proceedings dated 03.12.2021. In view of the same, without challenging the proceedings, the petitioner was once again seeking for issuing a direction to the Tahsildar to consider the representation. Learned counsel sought for some time to take instructions in this regard.



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2. Heard Mr.R.Sanjay, learned counsel for petitioner, Mr.A.M.Ayyadurai, learned Government Advocate appearing for respondents 1 to 5 and Mr.S.Ravichandran, learned Additional Government Pleader appearing for the sixth respondent.

3. When the matter was taken up for hearing today, learned counsel for the petitioner submitted that a representation was made to the Revenue Divisional Officer and the same was not considered and hence, a direction can be issued to the Revenue Divisional Officer. There is no proof to show that the representation was received by the Revenue Divisional Officer. That apart, there must be necessary pleadings in the writ petition and appropriate relief must be sought for.

In view of the above, this writ petition is closed by giving liberty to the petitioner to file a fresh writ petition by providing all the particulars and seeking for the appropriate relief. No costs.

21.06.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

gm

To

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