



WEB COPY

W.P.No.26930 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26930 of 2023

Mrs.E.Selvi

... Petitioner

Vs.

1.The District Collector,
Cuddalore District.

2.The District Revenue Officer,
Cuddalore District.

3.The Revenue Divisional Officer,
Virudhachalam Taluk,
Cuddalore District.

4.The Tahsildar,
Virudhachalam Taluk,
Cuddalore District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the petitioner's representation dated 09.06.2022 and 09.06.2023, further directing the 4th respondent to measure, lay stones and re-do correct FMB and sketch concerned in Old Survey No.38/5 which is sub-divided as 38/8B vide Patta No.837 in respect of registered Sale Deed vide Doc.No.114/2000



dated 09.02.2000 to the extent of 10 cents (4360 sq.ft) at SRO Mangalampettai, Virudhachalam Taluk after cancelling the incorrect FMB and issue the same to the petitioner.

For Petitioner : Mr.B.Srinivasan
For Respondents : Mr.E.Sundaram,
Government Advocate

ORDER

The relief sought for in the present Writ Petition is to direct the 3rd respondent to dispose of the petitioner's representations dated 09.06.2022 and 09.06.2023, further directing the 4th respondent to measure, lay stones and re-do correct FMB and sketch concerned in Old Survey No.38/5 which is sub-divided as 38/8B vide Patta No.837 in respect of registered Sale Deed vide Doc.No.114/2000 dated 09.02.2000 to the extent of 10 cents (4360 sq.ft) at SRO Mangalampettai, Virudhachalam Taluk after cancelling the incorrect FMB and issue the same to the petitioner.

2. The learned Government Advocate appearing for the respondents brought to the notice of this Court that with reference to the very same relief sought for in the present representation, survey was conducted on 02.03.2021 in the subject land. The said fact was adjudicated by the



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petitioner in his representation dated 09.06.2022. When survey was conducted by the competent authorities on earlier occasion and if the petitioner is not satisfied with the survey conducted, he has to approach the competent Civil Court of law for the purpose of resolving the issues. The petitioner has stated in his representation that one Mr.Manohar, who is the owner of the neighbouring land is encroaching upon the land belonging to the petitioner. Thus, there is a civil dispute exists between the parties and therefore, the petitioner is at liberty to approach the competent Civil Court of law in the manner contemplated.

3. Accordingly, the Writ Petition stands dismissed. No costs.

13.09.2023

veda/skr

Index : Yes

Speaking order



To

- 1.The District Collector,
Cuddalore District.
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Cuddalore District.
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Virudhachalam Taluk,
Cuddalore District.



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S.M.SUBRAMANIAM, J.

veda/skr

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