



W.P.(MD)No.12827 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.12827 of 2021

and

W.M.P.(MD).No.3905 of 2023

Xavier

... Petitioner

Vs.

- 1.The Commissioner of Land Administration,
Office of the Commissioner of Land Administration,
Chepauk,
Chennai – 5.
- 2.The Assistant Commissioner-III,
Revenue Administration,
Chepauk,
Chennai.
- 3.The Commissioner,
Tamil Nadu Archives,
Egmore,
Chennai – 8.
- 4.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 5.The Tahsildar,
Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.



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6.The Director of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.

... Respondents

*(R-6 is suo motu impleaded vide order dated 06.12.2023
in W.P.(MD).No.12827 of 2021)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to provide OSR, RSR and SLR copies pertaining to Survey Nos.4, 80 and 103 of Karungalakudi Group (now under R.S.Mangalam Taluk), Thiruvadanai Taluk, Ramanathapuram District and also pertaining to Survey Nos.51, 52, 78 and 111 of Thelur Village, Thiruvadanai Taluk, Ramanathapuram District based on the representation dated 21.04.2021.

For Petitioner : Mr.R.Murugan

For Respondents : Ms.S.Jeyapriya
Government Advocate

ORDER

When the matter came up for hearing on 08.11.2023, this Court passed the following order:

“This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to provide the copy of the OSR, RSR and SLR pertaining to the subject property based on the representation made by the petitioner.



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2.The learned Government Advocate is directed to ascertain as to whether these documents are available and if they are available, a copy of the same shall be furnished to the learned Counsel for the petitioner during the next date of hearing.

3.Post this case under the caption for passing final orders on 17.11.2023.”

2. The matter was thereafter posted for hearing on 17.11.2023 and this Court passed the following order:

“When the matter was taken up for hearing today, the learned Government Advocate produced the written instructions received from the District Collector, Ramanathapuram District. It is stated that the Old Settlement Register (OSR) and the Re-Settlement Register (RSR) is not available with respect to the subject properties and only the Settlement Land Register (SLR) pertaining to S.Nos.51, 52 and 78 was available and a copy of the same was also furnished to the petitioner and Settlement Land Register (SLR) with respect to S.Nos.4, 80 and 103 is not available.

2.The learned Government Advocate is directed to get the original records from the concerned office and verify and if the records are not available. The fifth respondent, viz., the Tahsildar, Thiruvadanai Taluk, is



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directed to file an affidavit before this Court.

3. Post this case under the same caption on 27.11.2023.”

3. The case was listed for hearing on 27.11.2023 and this Court passed the following order:

“Pursuant to the earlier order passed by this Court on 17.11.2023, the Tahsildar has filed an affidavit and taken a specific stand that 'A' Register (SLR) claimed by the petitioner is fully damaged and is not available. That apart, he has taken a stand that whatever SLR copies are available have been provided to the petitioner.

2. The Tahsildar is directed to produce all the original records as directed by this Court on 17.11.2023.

3. Post this Writ Petition on 05.12.2023 under the same caption.”

4. When the matter was taken up for hearing today, Mr.K.Karthickeyan, Tahsildar, Thiruvadanai Taluk, Ramanathapuram District, was present. He brought the entire original records before this Court. This Court permitted the learned counsel for the petitioner to verify the entire original records.

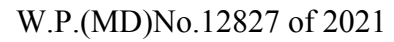


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5. The learned counsel for the petitioner after verifying the original records submitted that the SLR is not available in the original records. In view of the same, the stand that was taken by the Tahsildar in the affidavit filed before this Court is fortified.

6. The official who was present before this Court stated that the relevant records will be available in the office of the Director of Survey and Settlement, Survey House, Chepauk, Chennai – 600 005. In view of this statement made by the concerned official, the Director of Survey and Settlement, Survey House, Chepauk, Chennai – 600 005 is suo motu added as the sixth respondent in this Writ Petition and the learned Government Advocate takes notice on behalf of the impleaded sixth respondent.

7. It is left open to the petitioner to make a fresh representation to the impleaded sixth respondent and seek for the copy of the SLR copies pertaining to the subject property. On receipt of the same, the sixth respondent shall provide necessary copies to the petitioner within a period of six (6) weeks from the date of receipt of a representation from the petitioner.



Consequently, connected miscellaneous petition is closed.

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

1.The Commissioner of Land Administration,
Office of the Commissioner of Land Administration,
Chepauk, Chennai – 5.

2.The Assistant Commissioner-III,
Revenue Administration,
Chepauk, Chennai.

3.The Commissioner,
Tamil Nadu Archives,
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4.The District Collector,
Ramanathapuram District,
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Taluk Office,
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6.The Director of Survey and Settlement,
Survey House,
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N.ANAND VENKATESH, J.

Nsr

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