



WP (MD) No. 4192 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE **B. PUGALENDHI**

WP (MD) No. 4192 of 2016
and
WMP (MD) No. 3755 of 2016

Amirtham

... Petitioner

Vs

1. The District Collector,
Madurai.
2. The District Revenue Officer,
Madurai.
3. The Revenue Divisional Officer,
Madurai.
4. The Tahsildar,
Vadipatti Taluk,
Madurai District.
5. The President,
Periya Oorseri,
Vadipatty Taluk,
Madurai District.

6. R. Mani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 4th respondent to rectify the mistake that crept in classification of SF.No.362/22 of Periya Oorcheri Village, Vadipatty Taluk, Madurai District.



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For Petitioner : Mr.P.Ganapathi Subramanian
For Respondent : Mr.T.Vilavan Kothai,
Nos.1 to 4 Additional Government Pleader
For Respondent : No appearance
Nos.5 and 6

ORDER

This writ petition is filed for a writ of mandamus directing 4th respondent / Tahsildar, Vadipatti to rectify the mistake crept in the classification of S.No.362/22 of Periya Oorseri, Vadipatti Taluk, Madurai District.

2.The learned Counsel for the petitioner submits that the petitioner is the owner of the property in S.No.362/4 and she purchased the property in the year 1998. The original survey number in S.No.319 was renumbered as S.No.362/4 during the natham settlement and a portion of his property in survey No.362/4 is now classified as Survey No.362/22. The petitioner has also made his representation to correct this mistake and the 4th respondent by his reply dated 21.09.2021 has also informed this petitioner that the classification has been



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wrongly made and steps are taken to cancel the classification. Even then they have not acted upon to correct. Therefore, the present writ petition has been filed.

3.The learned Additional Government Pleader appearing for the official respondents based on the written instructions received from the 4th respondent / Tahsildar, Vadipatti submits that Survey No.362/22 has been classified as a lane. While so one Mani, S/o.Rasu Pillai has filed a writ petition before this Court in WP(MD)No.10844 of 2015 to remove the encroachment in survey No.362/22 and the same has been allowed by this Court. The petitioner is the 6th respondent in that writ petition. Accordingly encroachments have been removed by the local body on 06.05.2017. He further submits that S.No.362/22 to an extent of 0.00.17 is classified as lane and the remaining portion is classified as vacant land and this sub division has been made in S.No.362/4.

4.Recording the above submission of the learned Additional Government Pleader, this writ petition is



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dismissed with liberty to the petitioner to work out her remedy in the manner known to law. No costs. Consequently connected miscellaneous petition is also dismissed.

22.02.2023

Internet : Yes / No

dsk

To

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- 4.The Tahsildar,
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- 5.The President,
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B. PUGALENDHI, J.

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