



WEB COPY



WP.No.13847 of 2024

In the High Court of Judicature at Madras

Dated : 22.5.2024

Coram :

The Honourable Mr.Justice G.R.SWAMINATHAN

Writ Petition No.13847 of 2024

1.Varudharajan
2.Senthil Kumar

...Petitioners

Vs

1.The Principal Secretary to
Government, Revenue & Disaster
Management Department,
Tamil Nadu Government,
St.George Fort, Chennai-9.

2.The Commissioner of Land
Administration, Chepauk,
Chennai-5.

3.The District Collector,
Collectorate, Namakkal District.
637003.

4.The Tahsildar, Sendamangalam
Taluk, Namakkal District.

5.S.Rajamani

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 to 4 to make alteration in the FMB sketch pertaining to the plan - marked detail classified as 'water course' comprised in S.No.382/2 from the petitioners' land on southern side of S.Nos.382/1C and 382/1B and on northern side of S.No.382/1B in east - west direction to the petitioners' land in S.Nos.382/1C and 382/1B and then on the



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northern side of the 5th respondent's land comprised in S.No.382/1A so as to reach such water course in straight to the pond situate in S.No.248/4 in order to increase the water flow in view of Board proceedings of the second respondent in B.P.Perm.1039(E) dated 26.7.1966 by considering the petitioners' representation dated 08.4.2024 within the time frame as may be fixed by this Court.

For Petitioners : Mr.A.Manojkumar
For R1 to R4 : Mr.U.Baranidharan, AGP

ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader accepting notice for respondents 1 to 4. In view of the limited nature of relief this Court proposes to grant, notice to the fifth respondent is dispensed with and the writ petition itself is taken up for final disposal.

2. The petitioner seeks alteration of FMB sketch in respect of the petition mentioned lands.

3. The learned Additional Government Pleader would point out that if it is a case of mere alteration, the fourth respondent can take a call.



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4. Since it appears from the averments made in the writ petition that the plan marked details have been classified as water course, it would be just and proper to direct the Commissioner of Land Administration to go into the issue.

5. This Court, therefore, without going into the merits of the matter, permits the petitioners to submit a fresh representation to the Commissioner of Land Administration, who shall, upon receipt thereof, consider the same on merits and pass final orders in accordance with law within a period of four months thereafter.

6. The writ petition stands disposed of. There shall be no order as to costs.

22.5.2024

To

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Tamil Nadu Government,
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2.The Commissioner of Land
Administration, Chepauk,
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G.R.SWAMINATHAN,J

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