



W.P.No.34987 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.34987 of 2023

IFCI Infrastructure Development Limited
(A Government of India Undertaking)
Represented by its Senior Manager-Legal,
Mr.Rajneesh Sharma,
IFCI Tower, No.61, Nehru Place,
New Delhi – 110 019.

... Petitioner

versus

1. Union Territory of Puducherry,
Represented by its Chief Secretary,
Secretariat Buildings,
Puducherry – 605 001.
- 2.The Director,
Department of Survey, Settlement & Land Records,
Puducherry – 605 013.
- 3.The Settlement Officer,
Department of Survey, Settlement & Land Records,
Puducherry – 605 013.



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4.Subramanisamy Koil Present Trustee,
Pethuchettypet, Lawspet,
Puducherry – 605 008.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to conduct enquiry in exercise of powers vested under Section 23(1) of the Puducherry Settlement Act, 1970 and make necessary correction in the settlement records pertaining to the name of the Registered Holder in Patta No.131 in respect of the property having an extent of 83A.00Ca in Re-Survey No.192/1 of Ariyur Revenue Village, Villianur Commune Panchayat, as requested by the petitioner vide representation dated 22.05.2023, which was submitted with third respondent on 01.09.2023.

For Petitioner : Mr.V.Kamala Kumar

For Respondents : Mrs.V.Usha
Additional Government Pleader (Puducherry)
for R1 to R3

No appearance for R4

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus, directing the third respondent to conduct an enquiry by



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exercising powers vested under Section 23(1) of the Puducherry Settlement Act, 1970 and make necessary correction in the settlement records pertaining to the name of the Registered Holder in Patta No.131 in respect of the property measuring an extent of 83A.00Ca in Re-Survey No.192/1 of Ariyur Revenue Village, Villianur Commune Panchayat, as requested by the petitioner vide representation dated 22.05.2023, which was submitted with third respondent on 01.09.2023.

2. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has received notice from the third respondent for enquiry, which is likely to be conducted on 24.01.2024.

3. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the first respondent to conduct an enquiry in the manner known to law, after giving due opportunity of hearing to the petitioner as well as rival claimants/interested parties if any, as the case may

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be and pass appropriate orders on merits, within a period of two months from the date of receipt of a copy of this order.

4. With the above direction this Writ Petition is disposed of. There shall be no order as to costs.

23.01.2024

Index: Yes/No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To

1. The Chief Secretary,
Union Territory of Puducherry,
Secretariat Buildings,
Puducherry – 605 001.
2. The Director,
Department of Survey, Settlement & Land Records,
Puducherry – 605 013.
3. The Settlement Officer,
Department of Survey, Settlement & Land Records,
Puducherry – 605 013.

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P.VELMURUGAN, J.

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