



W.P(MD)No.4351 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.4351 of 2021

Karuppuchamy

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Sivagangai District.
- 2.The Divisional Inspector,
District Level Land Survey Department,
Sivagangai District.
- 3.The Assistant Director,
District Level Land Survey Records Department,
Sivagangai District.
- 4.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
- 5.The Deputy Circle Inspector,
Circle Level Land Survey Department,
Thiruppuvanam Taluk Office,
Sivagangai District.

6.Sivaganam

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fifth respondent proceedings in Na.ka.No.A3/3478/2020, dated 09.12.2010 and quash the same as illegal and consequently, direct the fifth respondent to rectify the typographical error in the FMB (Field Measurement Book) Sketch Line in Wester Side (North to South) measurement of 85 meter (geographical location) instead of 79.4 meter in Survey No.150/14 A1 situated at Kattamankottai Village, Konthagai Group, Thiruppuvanam Taluk and Sivagangai District within a time frame that may be fixed by this Court.

For Petitioner : Mr.R.Anand,
for Mr.G.Thiruvarutselvan.

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader, for R1 to R5.

: Mr.Babu Rajendran, for R6.

ORDER

The Writ Petition is directed against the order passed by the fifth respondent, dated 09.12.2010, rejecting the claim of the petitioner.

2. The petitioner has earlier filed a writ petition in W.P.(MD) No.10671 of 2020, seeking a Writ of Mandamus, directing the third



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respondent therein to rectify the error in FMB (Field Measurement Book)

Sketch Line in Westen Side (North to South) measurement of 85 meter (geographical location) instead of 79.4 meter in Survey No.150/14 A1 situated at Kattamankottai Village, Konthagai Group, Thiruppuvanam Taluk and Sivagangai District and this Court vide order, dated 02.09.2020, has directed the fifth respondent therein to consider the representation of the petitioner, dated 29.07.2020 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of that order, after affording due opportunity of hearing to the petitioner as well as other interested parties, if any.

3. The learned counsel for the petitioner would submit that the fifth respondent without taking note of the earlier recommendation made by the second respondent as well as the third respondent has passed the impugned order.

4. The learned counsel appearing for the sixth respondent would submit that the impugned order came to be passed, without notice to the sixth respondent.



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5. It is pertinent to note that subsequently the sixth respondent has filed a Writ Petition in W.P(MD)No.14161 of 2020 and the learned Judge of this Court, vide order, dated 12.10.2020 has passed the order, directing the Divisional Inspector to consider the representation of the petitioner, dated 18.03.2020, to form a Committee under the Head of Divisional Inspector and measure the properties and file the report on the basis of the memo, dated 23.07.2020, vide Na.Ka.No.A31576/2020, after affording opportunity to the petitioner within a period of six months from the date of receipt of copy of that order; that though this order came to be passed on 12.10.2020, the official respondents have not taken any steps to comply with the directions of this Court.

6. When the matter is taken up for hearing today, the learned Special Government Pleader would submit that the second respondent in his letter has informed that they are ready to form a committee and to measure the properties as per directions of this Court.

7. Considering the facts and circumstances of the case and taking note of the non-compliance of the earlier order and also the submission



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made by the learned counsel on either side, the second respondent is directed to comply with the order of this Court in W.P(MD)No.14161 of 2020, dated 12.10.2020, within a period of three months from the date of receipt of copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

23.04.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
das

To

- 1.The District Collector,
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- 2.The Divisional Inspector,
District Level Land Survey Department,
Sivagangai District.
- 3.The Assistant Director,
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- 4.The Tahsildar,
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K.MURALI SHANKAR, J

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Order made in
W.P(MD)No.4351 of 2021

Dated : 23.04.2024