



WP(MD). No.25148 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 22/10/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.25148 of 2024

T. Venkatesan

... Petitioner

Vs

1. The District Collector,
Tirunelveli District,
Tirunelveli..

2. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli..

3. The Assistant Director of Survey,
Tirunelveli.

4. The Tahsildar,
Nanguneri Taluk,
Tirunelveli.

... 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 Mandamus, directing the respondents 2 and 3 to complete the proceeding initiated to rectify the mistake in the FMB in the Natham Survey No. 690/63 as per the Judgment and decree dated 23.12.2016 passed in O.S.No. 112 of 2015, on the file of the District Munsif Court, Nanguneri.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed for a mandamus to direct the respondents 2 and 3 to complete the proceeding initiated to rectify the mistake in the FMB in the Natham Survey No. 690/63 as per the Judgment and decree dated 23.12.2016 passed in O.S.No. 112 of 2015, on the file of the District Munsif Court, Nanguneri.



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3. It is the case of the petitioner that the property originally belong to the petitioner's grandfather and by virtue of the settlement deed dated 25.04.1923, the property is settled in his favour with specific boundaries and extent and total extent was 2.87 cents.

4. When the matter stood thus, in a re-settlement survey in the year 1985, it is recorded that patta has been issued only in respect of 1.08 cents. Challenging the same, the petitioner has filed a suit in OS No. 112/2015 on the file of the District Munsif, Nanguneri. The suit was decreed on 23.12.2016. Despite the judgment and decree, the re-settlement register has not been rectified and FMB has also not been rectified. In this regard, the petitioner has given a representation on 26.06.2024.

5. The learned Additional Government Pleader would submit that the representation of the petitioner would be considered and orders would be passed.



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6. Considering the above submissions, this writ petition is disposed of with a direction to the respondents 2 and 3 to consider the representation of the petitioner. It is made clear that after notice to the petitioner and others and upon hearing both sides, the respondents 2 and 3 shall pass orders strictly in terms of the judgment and decree, since the respondents are also party to the said suit. No costs.

22.10.2024

RR

TO

1. The District Collector,
Tirunelveli District,
Tirunelveli..

2. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli..

3. The Assistant Director of Survey,
Tirunelveli..

4. The Tahsildar,
Nanguneri Taluk,
Tirunelveli..

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N.SATHISH KUMAR,J

RR

**ORDER
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