



W.P. No.20432 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.20432 of 2025

Sarasa

Petitioner(s)

Vs

- 1.The Director,
Directorate of Survey and Settlement,
Kamaraj Salai, Puducherry-605 013.
- 2.The Tahsildar,
Mudaliarpeta, Puducherry.
- 3.The Settlement Tahsildar-I,
Department of Survey and Land Record,
Puducherry.
- 4.Sanjeevi Kumar
- 5.Arumugam

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the appeal filed by the petitioner in Appeal No.1 of 2024 against the order passed by the 3rd respondent in S.P.No.1678/DOS/ST-I/2023 dated 11.01.2024.

For Petitioner(s) : Mr.M.P.Rajavelayutham



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For Respondent(s)
1 to 3

: Mr.Vasanthakumar
Additional Govt. Pleader (Pondicherry)

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondents 4 and 5 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the 1st respondent to dispose of the appeal filed by the petitioner in Appeal No.1 of 2024 against the order passed by the 3rd respondent in S.P.No.1678/DOS/ST-I/2023 dated 11.01.2024.

3. It is submitted by the learned counsel for petitioner that the petitioner is owner of the property comprised in S.No.145/12 measuring an extent of 1080 sq.feet situated at Manaveli Village, Puducherry. It is stated that the petitioner became the owner of the subject property by way of settlement deed executed by petitioner's husband to the extent of 432 sq.feet in D.No.1231 dated 23.07.2020 registered before the SRO, Puducherry and the balance extent of 648 sq.feet of

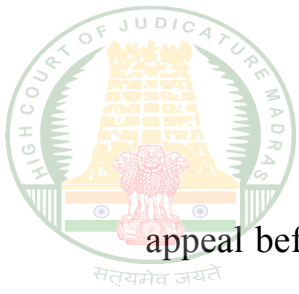


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land was purchased by the petitioner from one Natarajan in D.No.4783 dated 04.03.2019 registered before the SRO, Puducherry.

3.1. While so, the petitioner submitted representation to the respondents 2 and 3 on 13.03.2023 and 21.03.2023 seeking correction of mistakes in the Field Measurement Book (FMB) in respect of the subject property and to include total extent of 1080 sq.feet in S.No.145/12, the 3rd respondent has numbered the file, however mistakes have not been rectified till date.

3.2. Aggrieved the petitioner filed a writ petition in W.P.No.12264 of 2023 before this Court, this Court vide order dated 21.04.2023 directed the respondents 2 and 3 to consider the petitioner's representation dated 13.03.2023 on its own merits and pass appropriate orders in accordance with law within a period of 12 weeks from the date of receipt of a copy of that order. Thereafter, the 3rd respondent issued notice and the petitioner appeared for enquiry on 19.06.2023, 10.08.2023, 01.12.2023 and 29.12.2023 and submitted explanation along with supportive documents, however no orders were passed. The petitioner therefore filed a contempt petition before this Court in Cont.P.No.225 of 2024. Thereafter, the 3rd respondent passed an order in S.P.No.1678/DOS/ST-I/2023 dated 11.01.2024 directing the petitioner to approach the Civil Court for remedy as the counter petitioner therein Sanjeevi Kumar had filed a Civil Suit in O.S.No.1709 of 2023. Under the circumstances, the petitioner preferred an



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appeal before the 1st respondent, against the order of the 3rd respondent which is numbered as Appeal No.1 of 2024, which is stated to be pending. Hence, this writ petition.

4. On this being point out, Mr.Vasanth Kumar, learned Additional Government Pleader (Puducherry) for respondents would submit that the above appeal would be considered and orders would be passed within a period of 12 weeks from the date of receipt of a copy of this order.

5. In view thereof, the writ petition is disposed of with a direction to the respondents to consider and dispose of the appeal filed by the petitioner in accordance with law, after affording reasonable opportunity of hearing to the petitioner, respondents 4 and 5 and other interested persons/stake holders. This Court does not incline to express any opinion on the merits of the matter and all rights and contentions of either parties are left open. No costs.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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