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WP.No.1216 of 2025

In the High Court of Judicature at Madras

Dated : 21.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1216 of 2025

K.Kathirvel

...Petitioner

Vs

The District Revenue Office
District Revenue Office
District Collectorate Office (Campus)
Salem District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to rectify the cart track measurement in the FMB in S.Nos.59/3A, 59/3E, 56/2A and 56/7A at Akkarapalayam Village, which was wrongly mentioned as 0 width in one portion and mark the correct measurement in that portion and mark the cart track width measurement in the FMB in S.Nos.31 & 47/10 on considering the petitioner representation dated 22.7.2023.

For Petitioner : Mr.A.Kumar
For Respondent : Mr.G.Velu, AGP

ORDER

The petitioner has approached this Court seeking a Mandamus to the respondent to consider his representation dated 22.7.2023 to

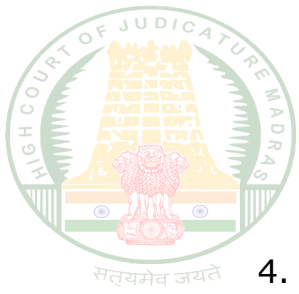


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rectify the cart track measurement in the field measurement book in S.Nos.59/3A, 59/3E, 56/2A and 56/7A at Akkarapalayam Village, which was wrongly mentioned as 0 width in one portion and mark the correct measurement in that portion and mark the cart track width measurement in the FMB in S.Nos.31 & 47/10.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondent.

3. The case of the petitioner is that a cart track runs adjacent to his agricultural lands through S.Nos.59/3A, 31, 59/3E, 56/1A, 56/2A, 47/10, 56/7A, 55/1A, 55/2A, 55/4A and 55/5A, Akkarapalayam Village, Salem South Taluk. The cart track joins the tar road connecting Murugan Kovil and Milagai Nayakanur. However, in the field measurement book, the measurement of the cart track with reference to S.Nos.59/3A, 59/3E, 56/2A and 56/7A has been wrongly mentioned as "0" width whereas on site, it measures 7.20 meters width. The cart track begins from south north tar road situated in S.No.59/2 from Kodangi Naickanoor and ends at J.J.Nagar. However, in the field measurement book, the width of the cart track has been wrongly mentioned as "0" as against the actual measurement of 5.2 meters.



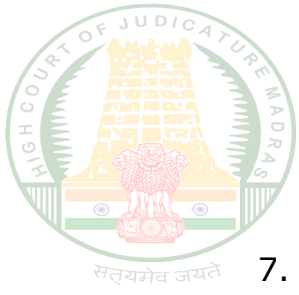
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4. Likewise, the measurement in S.No.59/3A, which is 7.4 meters, has been wrongly mentioned as "0". Further, in S.No.56/7A, as against the width of 6 meters, it has been wrongly shown as "0" in the field measurement book. In the light of these glaring discrepancies, the petitioner made a representation dated 22.7.2023 to the respondent seeking to rectify the defects in the field measurement book. However, the said representation has been put to cold storage and to date, no action has been taken. Therefore, the petitioner has come forward with this writ petition.

5. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record.

6. The said representation of the petitioner has not been considered by the respondent for over 1 1/2 years and it clearly indicates that the respondent has failed to discharge his statutory duty. The respondent ought to have measured the cart track on site and passed orders rectifying the field measurement book after considering the said representation of the petitioner. However, he failed to do so.



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7. Accordingly, the writ petition is allowed and a Mandamus is issued to the respondent to dispose of the said representation of the petitioner dated 22.7.2023 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

21.1.2025

To
The District Revenue Office
District Revenue Office
District Collectorate Office (Campus)
Salem District.

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