



W.P.(MD)No.5247 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5247 of 2025

and

W.M.P(MD)No.3845 of 2025

- 1.N.Periyasamy
- 2.P.Manjula
- 3.M.Periyasamy
- 4.K.Santhana Krishnan

.... Petitioners

/Vs./

- 1.The District Revenue Officer,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Karur District,
Karur.
- 3.The Tahsildar,
Karur District,
Karur.
- 4.The Superintenant of Police,
Karur District,
Karur.
- 5.The Inspector of Police,



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Pasupathipalayam,
Karur.

6.The Sub-Inspector of Police,
Velliyanai,
Karur.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to rectify the erroneous measurement mentioned in the Field Measurement Book as 6 feet width in respect of the pathway in Survey No.342/2, Emur Village, Karur District by considering the representation dated 18.03.2024 and forbearing the respondents 5 and 6 from anyway interfering in the civil dispute as well as not to harass the petitioners in respect of the civil dispute in property in Survey No.342/2 Emur Village, Karur District.

For Petitioner	: Mr.M.P.Senthil
For R1 to R3	: Mrs.S.Jeyapriya Government Advocate
For R4 to R6	: Mr.S.Prakash Government Advocate (Crl.side)

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents 1 to 3 to rectify the erroneous measurements in the FMB by correcting the 6 meters (incorrectly mentioned as 6 feet in the prayer) instead of the actual 3 feet alone which is set apart for pathway.



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2. The specific grievance of the petitioner is that pending the said request of the petitioner for correction of the mistake in the FMB records, the police officials are harassing the petitioner and have also issued a summon to the petitioner calling upon the petitioner to appear for an enquiry on 04.02.2025, producing Documents in support of the petitioner's claim. The police authorities can have no say over the subject matter, which is completely the domain of the revenue authorities. Admittedly, the petitioners are owners of the property in survey numbers 342/1B, 342/1C and 342/1D and it is their admitted case that a portion of their property has been carved out to an extent of 3 feet alone, for forming a private pathway. While so, the FMB records have been wrongly reflecting the pathway having a width of 6 meters and therefore, the petitioners have already made a request to the official respondents 1 to 3 to correct the said mistake. The said representation has been given as early as on 18.3.2024 and the same has not been disposed of till date.

3. Considering the limited scope of the relief sought for in the writ



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petition, with the consent of the learned counsel for the parties, writ petition is taken up for final disposal at the admission stage.

4. The first respondent being the competent authority shall enquire into the matter, give an opportunity to the petitioner to present his case and after considering the documents available on record and also the materials produced by the petitioner, the first respondent shall pass final orders on the petitioner's application for correction of the FMB records mentioning 6 meters instead of 3 feet. It is made clear that in the meantime the respondents 4 to 6 shall not interfere in any manner in the subject issue.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

27.02.2025



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- To
- 1.The District Collector,
Trichy,
Trichy District.
 - 2.The District Revenue Officer,
Trichy, Trichy District.
 - 3.The Revenue Divisional Officer,
Trichy, Trichy District.
 - 4.The Tahsildar,
Tiruverambur,
Trichy District.

P.B. BALAJI, J.



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Order made in
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