

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.21209 of 2015

and M.P.No.1 of 2015

D.Sagadevan

...Petitioner

-Vs-

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 601.

2.The Tahsildar,
Thandrapet Taluk,
Thandrapet,
Tiruvannamalai District.

3.The Taluk Surveyor,
Thandrapet Taluk,
Thandrapet,
Tiruvannamalai District.

4.The Inspector of Police,
Vanapuram Police Station,
Vanapuram,
Tiruvannamalai District.

5.K.Thananchezhiyan

6.T.Ramasamy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to survey and measure the petitioner's agricultural dry land bearing revenue Survey No.11/4, measuring an extent of 0.26 cents, S.No.11/5A measuring an extent of 0.02 cents, S.No.11/2B2 measuring an extent of 0.12 cents totally 0.40 cents, situated at Perayampattu Village, Thandrapet Taluk, Tiruvannamalai District, measuring an extent of 0.40 cents.

For Petitioner : Mr.J.Selvarajan
For Respondents: Mr.S.Pattabiraman,
Government Advocate for R1 to R4

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner would claim that he is the absolute owner of agricultural dry land bearing revenue Survey No.11/4, measuring an extent of 0.26 cents, S.No.11/5A measuring an extent of 0.02 cents, S.No.11/2B2 measuring an extent of 0.12 cents totally 0.40 cents situated at Perayampattu Village, Thandrampet Taluk, Tiruvannamalai District, measuring an extent of 0.40 cents having purchased through a registered sale deed dated 24.05.2000 and claims to be in possession and enjoyment of the same and paying all statutory levies. The petitioner entered into an understanding with respondents 5 and 6 for exchange of lands and the lands were exchanged without executing any documents. The petitioner made necessary arrangement to survey the lands with the help of revenue officials and he was prevented by the respondents 5 and 6. The petitioner, in this regard, has also lodged a police complaint and since the respondents 5 and 6 had prevented the survey of petitioner's land, he submitted a detailed representation dated 20.03.2015 to the second respondent as well as a representation dated 23.03.2015 to the first respondent and though the said representations were acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for the respondents 1 to 4.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the petitioner's representation, directs the second respondent to consider and dispose of the petitioner's representation dated 20.03.2015, after putting on notice the petitioner as well as respondents 5 and 6 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the respondents 5 and 6.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 601.

2.The Tahsildar,
Thandrapet Taluk,
Thandrapet,
Tiruvannamalai District.

3.The Taluk Surveyor,
Thandrapet Taluk,
Thandrapet,
Tiruvannamalai District.

4.The Inspector of Police,
Vanapuram Police Station,
Vanapuram,
Tiruvannamalai District.

+1 cc to Mr.J.Selvarajan, Advocate sr.36529
+1 cc to the Government Pleader High Court, Madras
sr36069

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