

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.3.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.5344 of 2015

Ponnusamy

...Petitioner

Vs.

1. The District Collector,
Tirupur District, Tirupur.
2. The Revenue Divisional Officer,
Tirupur Taluk & District.
3. The Deputy Director,
District Land Survey Department,
Tirupur District, Tirupur.
4. The Tashildar,
Tirupur West, Tirupur.
5. The Firka Surveyor,
Tirupur West, Tirupur.
6. The Village Administrative Officer,
Peruntholuvu Village,
Tirupur Taluk & District

...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondent 5th respondent to survey the vacant land measuring an extent of 99 Ares comprised in Survey No.602/1 by metes and bounds and to derive out the boundaries for the same.

For Petitioner : Mr.K.Vignesh Karthick

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.K.Vignesh Karthick, learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents and with their consent, the writ petition itself is taken up for disposal at the admission stage.

2. The petitioner seeks for issuance of a writ of mandamus to direct the 5th respondent to survey the vacant land measuring an extent of 99 Acres comprised in S.No.602 /1. It is seen that the petitioner's application for making a survey was considered and a direction was issued by the first respondent vide proceedings dated 14.7.2014. Pursuant to which, two notices dated 26.7.2014 and 03.9.2014 were issued by the fourth respondent for the purpose of survey.

3. The grievance of the petitioner is that after such notices, no further action has been initiated by the fourth respondent. It is also stated by the petitioner that he is the absolute owner of the property and there was no rival claim with regard to the property in question.

4. In the light of the above, there will be a direction to the fourth respondent to issue notice to the petitioner as well as the neighbouring land owners and conduct survey on merits in accordance with law, if there is no other legal impediment, within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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TO

1. The District Collector,
Tirupur District,
Tirupur.

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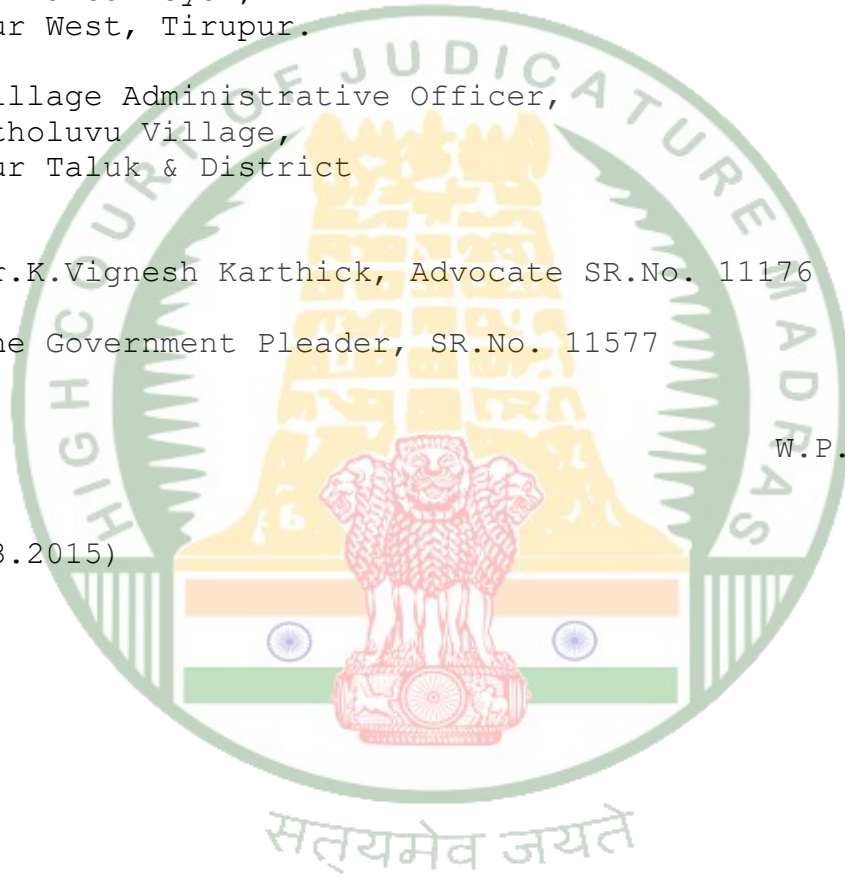
2. The Revenue Divisional Officer,
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3. The Deputy Director,
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Tirupur District, Tirupur.
4. The Tashildar,
Tirupur West, Tirupur.
5. The Firka Surveyor,
Tirupur West, Tirupur.
6. The Village Administrative Officer,
Peruntholuvu Village,
Tirupur Taluk & District

1 CC to Mr.K.Vignesh Karthick, Advocate SR.No. 11176

1 CC to the Government Pleader, SR.No. 11577

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RV (CO)
PSI (19.03.2015)



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