

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.11108 of 2016

S.N.Sarojini

[Petitioner]

Vs

- 1.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Coimbatore, Coimbatore District.
- 2.The Tahsildar,
Annur Taluk, Coimbatore District.
- 3.The Sub-Surveyor,
Sarkar Samakkulam,
Annur Taluk, Coimbatore District.
- 4.The Inspector of Police,
Periyannayakkanpalayam Police Station,
Coimbatore District.

5.K.Mani

[Respondents]

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the fourth respondent to give protection to the respondents 2 and 3 to survey the lands of the petitioner comprised in S.No.840/2A2 measuring to an extent of 2.07 acre at Vellamadaai Village, Kalipalayam, Coimbatore District, based on the petitioner's application dated 07.07.2015.

For Petitioner : Mr.E.Sathiyaraj

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor
for R1 to R4

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus to direct the fourth respondent to give protection to the respondents 2 and 3 to survey the lands of the petitioner, comprised in S.No.840/2A2 measuring to an extent of 2.07 acre at Vellamadaai Village, Kalipalayam, Coimbatore District, based on

the petitioner's application dated 07.07.2015.

2.It is stated in the affidavit filed in support of this writ petition that the petitioner has given a representation with all the required documents to the second respondent, for measuring her part of the land in S.No.840/2A2 in Vellamadai Village, Kalipalayam, Coimbatore District, to the extent of 2.07 acres, to install the patio stone, which property was already sub-divided by the second respondent. But the representation has not been considered and no survey has been carried out till now. It is also stated that the fifth respondent, who is an influential builder, is threatening the surveyor and somehow preventing the authorities from measuring the property. Hence the present writ petition is filed with the prayer as already stated supra.

3.When this writ petition was taken up, the learned Additional Public Prosecutor appearing for the respondents 1 to 4 submitted that the representation made by the petitioner is lacking the required details, and only because of that reason, it was not considered.

4.With regard to the above submission of the learned Additional Public Prosecutor, the learned counsel for the petitioner sought the permission of this Court for filing a fresh representation with all the required details and that the same may be directed to be considered within a period of two weeks.

5.In view of the above submissions, the learned counsel for the petitioner is permitted to file a fresh representation to the second respondent with all the required details and the relevant copies of documents, within a period of two weeks from the date of receipt of a copy of this order. On making such representation, as stated above, the second respondent shall consider the same, after issuing due notice to all the concerned parties, and pass appropriate orders and necessary action be taken, within a period of three weeks therefrom.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

KM

To

1.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Coimbatore, Coimbatore District.

2.The Tahsildar,
Annur Taluk, Coimbatore District.

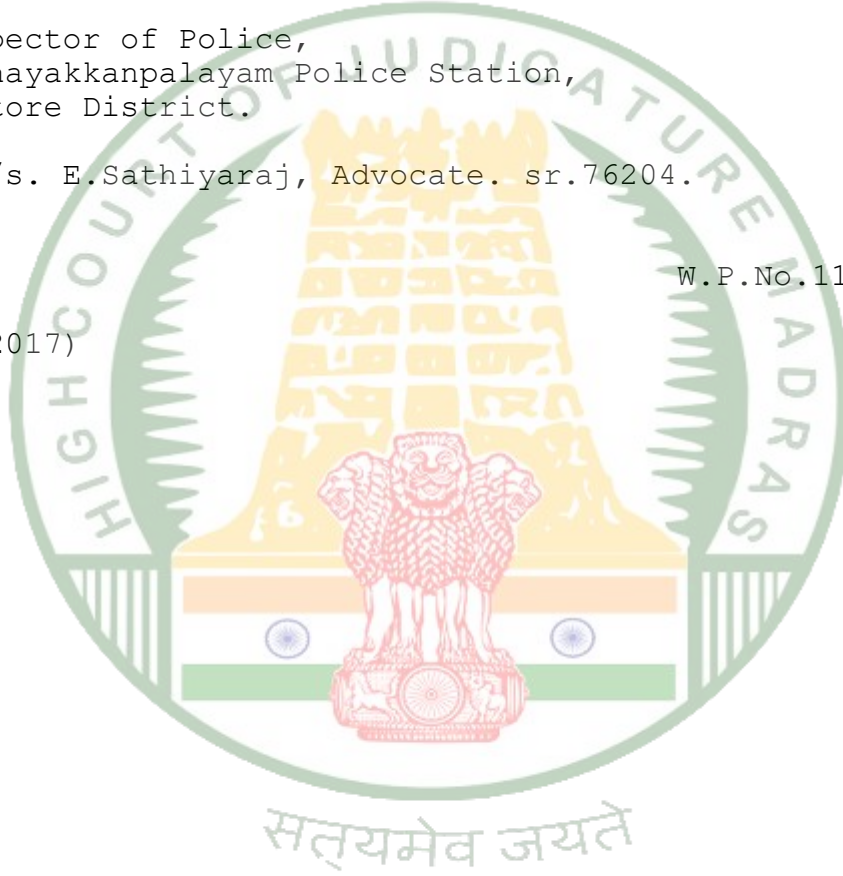
3.The Sub-Surveyor,
Sarkar Samakkulam,
Annur Taluk, Coimbatore District.

4.The Inspector of Police,
Periyanayakkanpalayam Police Station,
Coimbatore District.

+1cc to M/s. E.Sathiyaraj, Advocate. sr.76204.

W.P.No.11108 of 2016

gmi (Co)
ss(11/01/2017)



WEB COPY