

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2016

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29582 of 2016

Tmt.M.Easwari

... Petitioner

Vs.

1 The District Collector,
Salem District,
At Salem.

2 The Thasildar,
Omalur Taluk,
Salem District.

3 The Land Surveyor,
Omalur Taluk,
Salem District.

4 The Village Administrative Officer,
Omalur Town and Taluk,
Salem District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 16.11.2015 and thereby direct the respondents to measure the petitioner's property situated in Survey Nos.293/1L and 293/1I, Omalur Village, Salem District and erect milestones.

For Petitioner : Mr.A.Rajesh Kanna
For Respondents : Mr.R.Govindasamy
Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims to be the joint pattadhar of the property situated in S.Nos.293/1L and 1I in Patta No.922 and 566 in Omalur Village, Salem District and submitted a representation dated 16.11.2015 to the third respondent for survey and measurement of the said lands and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Mr.A.Rajesh Kanna, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents and he would submit that for having submitted the application/representation, no acknowledgement is available and the petitioner has also not paid any prescribed fees and therefore, he is not entitled to get any relief.

4.This Court taking into consideration, the rival submissions and upon going through the materials available on record, is of the view

that the petitioner is to submit a fresh application/ representation along with necessary fee for survey and measurement of the lands in question to the second respondent.

5.Hence, this Court directs the petitioner to submit a fresh application/ representation along with necessary fee, for survey and measurement of the lands in question to the second respondent, within a period of two weeks from the date of receipt of a copy of this order and the second respondent on receipt of the same, is directed to consider the said application/ representation, if the papers are otherwise in order and after putting on notice, the persons concerned, shall give a disposal to the same, within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned.

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

24.08.2016

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Index: Yes/ No

Internet: Yes/ No

M.SATHYANARAYANAN,J.
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To

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