

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36777 of 2016

M.Selvaraj .. Petitioner

Vs.

1.The District Collector,
Salem District, Salem.

2.The District Surveyor,
Salem District, Salem.

3.The Tahsildar,
Attur Taluk, Salem District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st and 2nd respondents to dispose of the petitioner's representation dated 22.07.2016 within a stipulated time or any other suitable order as this Court.

For Petitioner : Mr.K.Sathish Kumar
For RR 1 to 3 : Mr.R.S.Selvam,GA

ORDER

Heard the learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3 and with the consent on either side, the writ petition is taken up for final disposal.

2 The case of the petitioner is that he had purchased an agricultural property admeasuring to an extent of 1.27 hectares, comprised in S.Nos.334/9 and 334/10 situated at Navakurichi Village, Attur Taluk, Salem District, through a registered Sale Deed bearing Doc.No.450/1987 dated 23.04.1987 on the file of the office of the Sub Registrar, Talaivasal. He was also issued with Patta bearing No.24 and since purchase, he is the absolute owner of the land and is in continuous possession and enjoyment of the same. It is his grievance that one Periyasamy and his sister Chinnaponnu, the adjacent land owners, are trying to encroach upon the petitioner's land. Hence, the petitioner had submitted a representation to the respondents and the 3rd respondent, upon the receipt of the application, had fixed the date for surveying and measuring the land on 15.03.2016. But, the said action was not done. Hence, once again the petitioner submitted a representation to the respondents 1 and 2 on 22.07.2016 through Registered Post Acknowledgment Due seeking for measuring, surveying and fixing the boundaries in respect of his lands. Since he is yet to be favoured with any kind of response, the petitioner has come forward to file the present writ petition.

3 Considering the limited scope of prayer sought for by the petitioner and in the light of the above facts and circumstances, this Court, without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 22.07.2016 on merits and in accordance with law after giving notice to the said Periyasamy and Chinnaponnu and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the said persons.

4 The writ petition stands disposed of with the above direction. No costs.

20.10.2016

AP

To

- 1.The District Collector,
Salem District,
Salem.
- 2.The District Surveyor,
Salem District,
Salem.
- 3.The Tahsildar,
Attur Taluk, Salem District.

B.RAJENDRAN, J.,
AP

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