

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.17852 of 2017
and
W.MP.No.19388 of 2017

T.Manivannan

[Petitioner]

Vs

1 District Collector,
Salem District.

2 Divisional Engineer,
Highways, Salem Division,
Salem District.

3 Revenue Divisional Officer,
Salem District.

4 Tahsildar,
Salem Taluk.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, restraining the respondents herein from demolishing the house of the petitioner herein bearing Door No.3/31 situated in S.No.298/4 [Old Survey No.25/4] of Attayampatty village, Salem Taluk or any portion of it without resorting to due process of law and carrying out the survey of the house property of the petitioner herein and highways land for marking boundaries of the respective land.

For Petitioner : Mr.V.R.Rajasekaran

For Respondents : Mr.Era Premnath,
Government Advocate

ORDER

Mr.Era Premnath, learned Government Advocate takes notice for the respondents. By consent, the main writ petition is taken up for disposal at the admission stage itself.

2. Though the petitioner has filed the above writ petition to issue a writ of mandamus restraining the respondents from demolishing his house bearing Door No.3/31 situated in S.No.298/4 [Old Survey No.25/4] of Attayampatty village, Salem Taluk or any portion of it without resorting to due process of law and carrying out the survey of his house property and highways land for marking boundaries of the respective land, Mr.V.R.Rajasekaran, learned counsel for the petitioner submitted that it would suffice if a direction is issued to the 4th respondent, the Tahsildar to measure and demarcate the land in S.No.298/4 [Old Survey No.25/4], by considering the petitioner's representation dated 22.05.2017 for measuring and demarcating the land in S.No.298/4 [Old Survey No.25/4].

3. Mr.Era Premnath, learned Government Advocate appearing for the respondents submitted that the 4th respondent may be directed to consider and pass orders on the representation of the petitioner dated 22.05.2017 to measure and demarcate the land, in accordance with law, on receipt of the necessary charges and after giving notice to all the interested parties,

4. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 4th respondent to consider the petitioner's representation dated 22.05.2017 for measuring and demarcating the land in S.No.298/4 [Old Survey No.25/4], and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving notice to all the interested parties.

With the above observation, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rg

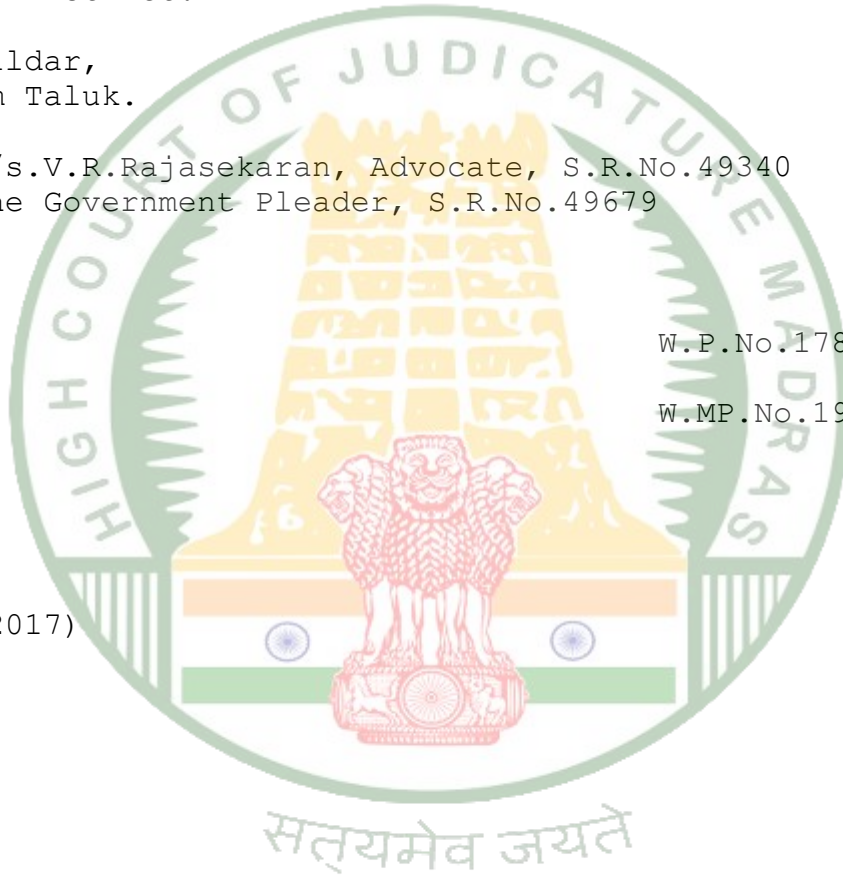
To

- 1 District Collector,
Salem District.
- 2 Divisional Engineer,
Highways, Salem Division,
Salem District.
- 3 Revenue Divisional Officer,
Salem District.
- 4 Tahsildar,
Salem Taluk.

+1cc to M/s.V.R.Rajasekaran, Advocate, S.R.No.49340
+1cc to the Government Pleader, S.R.No.49679

W.P.No.17852 of 2017
and
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KK (CO)
CU (02/08/2017)



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