

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. 9490 of 2004

and

W.M.P.No.11082 of 2004

K.Karuppudaiyar ... Petitioner

Vs

1.The Secretary to the Government
of Tamil Nadu, Revenue Department,
Fort St.George, Chennai - 9.

2.The District Collector, Salem.

3.The Tahsildar, Valappadi,
Salem District.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue writ of mandamus directing the first and second respondents to depute a gazetted officer not below the rank of deputy collector to conduct a preliminary enquiry in the whole issue and then to measure by fixing some other date after giving notice to the all concerned as contemplated under Survey and Boundaries Act and the Rules prescribed there under the lands with reference to the notice of the third respondent vide Na.Ka.No.4270/2001 (D) dated 20-03-2004.

For Petitioner : No Appearance

For Respondents: Mr.K.Dhanajeyan
Special Government Pleader

O R D E R

The relief sought for in this Writ petition is for a direction to depute a Gazetted Officer, not below the rank of Deputy Collector to conduct a preliminary enquiry in the whole issue and then measure the land by fixing some other date, after giving notice to all concerned.

2. The relief sought for by the petitioner as such cannot be granted, since the Deputy Collector cannot be deputed for the purpose of measuring the land and further there are certain Officers who have been specifically designated to perform the duties and responsibilities for surveying and for measuring the lands. Further the petitioner made representations to the authorities, requesting them to appoint a Gazette Officer to conduct preliminary enquiry and measure the land.

3. Considering the facts and circumstances of the case, liberty is granted to the petitioner to approach the competent authorities by submitting appropriate representation for redressal of his grievances.

4. The Writ petition is closed, with the above liberty. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Secretary to the Government
of Tamil Nadu, Revenue Department,
Fort St.George, Chennai - 9.

2.The District Collector, Salem.

3.The Tahsildar, Valappadi,
Salem District.

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SDR 12.05.2017