

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.10561 of 2019

Gokul

... Petitioner

Vs

1. The Tahsildhar
Kadaiyampatti Taluk
Salem District.

2. The Taluk Surveyor
Office of the Tahsildhar
Kadaiyampatti Taluk
Salem District.

3. P.Murugan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's objection/representation dated 14.03.2019 made relating to survey of land in respect of Survey Nos.261/1B, 261/2A and 261/2B situated at Denishpet Village, Kadaiyampatti Taluk, Salem District and to pass an order on the enquiry.

For Petitioner : Mr.C.Prabakaran
For Respondent : Mr.S.N.Parthasarathy
Government Advocate
for R1 & R2

O R D E R

Since this writ petition is being disposed of, without affecting the interest of the third respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the respondents 1 & 2 to consider his representation/objection dated 14.03.2019 made relating

to a property at S.Nos. 261/1B, 261/2A and 261/2B

situated at Denishpet Village, Kadaiyampatti Taluk, Salem District .

3. Heard both sides.

4. It is seen that the third respondent herein has already approached this Court and filed a writ petition in WP.No.1258 of 2019, wherein, an order was passed on 22.01.2019 and at Paragraph No.5, this Court observed as follows:

"5. It is the fact that there is dearth of surveyors in many of the Taluk Offices and there are many petitions and requests as that of the petitioners herein waiting their properties to be surveyed. Hence, the respondent is directed to have a list of such requests and conduct the survey as per the order of priority. However, any such request for survey of the land shall be done, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order."

5. It is stated by the petitioner before this Court that he has made an objection before the respondents 1 & 2 on 14.03.2019 and the said objection is kept pending. Since this Court has already passed the order in the writ petition filed by the third respondent as stated supra, the respondents 1 & 2 shall consider the objection raised by the petitioner and the other objections, if any, filed by the third parties and pass appropriate orders after hearing the petitioner as well as the other interested persons. As it is stated that the respondents 1 & 2 have not passed any order, so far, this Court, without expressing any view on the merits of the claim made by the petitioner, disposes this writ petition, only by directing the respondents 1 & 2 to pass such an order within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mk

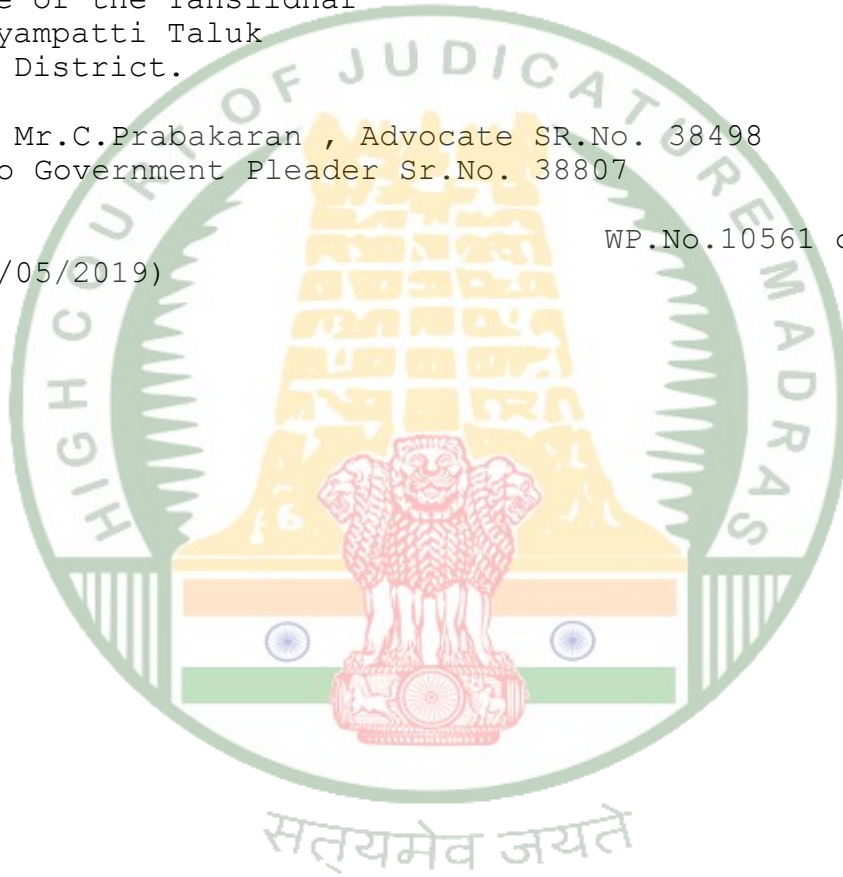
To

1. The Tahsildhar
Kadaiyampatti Taluk
Salem District.
2. The Taluk Surveyor
Office of the Tahsildhar
Kadaiyampatti Taluk
Salem District.

+1cc to Mr.C.Prabakaran , Advocate SR.No. 38498
+1 cc to Government Pleader Sr.No. 38807

WP.No.10561 of 2019

A.SK(20/05/2019)



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