

In the High Court of Judicature at Madras

Dated : 03.12.2019

Coram :

The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No.33695 of 2019 & WMP.No.34197 of 2019

K.S.Murugesan

...Petitioner

Vs

1.The District Collector, Erode
District, Collectorate, Erode-638011.

2.The Revenue Divisional Officer,
Erode, Erode District-638001.

3.The Tahsildar, Kodumudi Taluk,
Erode District-638151.

4.The Surveyor, Sivagiri Firueka,
Kodumudi Taluk, Erode District.
638011.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 07.11.2019 and further direct to resurvey the petitioner's lands in R.S.Nos.270/2, 51/2, 51/3, 51/4, 51/5, 51/6 and 67/7 situated at Kondalam Village, Kodumudi Taluk, Erode District with proper manner.

For Petitioner: Mr.T.Sathyaseelan

For Respondents: Mr.T.M.Pappiah, SGP

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ORDER

Mr.T.M.Pappiah, learned Special Government Pleader accepts notice for the respondents. I have heard Mr.T.Sathyaseelan, learned counsel for the petitioner. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner seeks a direction to the respondents to consider his representation dated 07.11.2019 and re-survey his property.

3. There appears to be an allegation that there is an encroachment made by the petitioner.

4. The learned Special Government Pleader, who has accepted notice on behalf of the respondents, submits that the re-survey is to be conducted by the authorities concerned on 11.12.2019.

5. In the light of the said submission, the writ petition is disposed of by directing respondents 3 and 4 to re-survey the lands in question in the presence of the petitioner. It is made clear that the petitioner shall be present in the property concerned on 11.12.2019 and no separate notice will be issued to the petitioner because this direction is issued in a writ petition filed by the petitioner. Based on the re-survey, respondents 3 and 4 are at liberty to proceed in accordance with law. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector, Erode District,
Collectorate, Erode-638011.
- 2.The Revenue Divisional Officer,
Erode, Erode District-638001.
- 3.The Tahsildar,
Kodumudi Taluk, Erode District-638151.
- 4.The Surveyor,
Sivagiri Firueka, Kodumudi Taluk, Erode District. 638011.

+1cc to the Government Pleader Sr.101631

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WMP.No.34197 of 2019

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srg 20/01/2020