

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.25447 of 2013

P.Senthil Kumar

... Petitioner

Vs.

1.The Tahsildar,
Pappireddipatti Taluk,
Pappireddipatti, Dharmapuri District.

2.The Inspector of Police,
Pappireddipatti Police Station,
Dharmapuri District.

3.P.Pitchaimuthu

4.P.Nehru

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 1st respondent to survey the lands of the petitioner situated in S.No.68/1B, Alamelupuram Village, Pappireddipatti Taluk, Dharmapuri District and sub-divide the same and issue a separate patta to the petitioner and also direct the 2nd respondent to give proper police protection during the survey and fencing of the land.

For Petitioner : Mr.V.Elangovan

For Respondents: Mrs.K.Bhuvaneswari,
Additional Government Pleader (R1 & R2)
R3 - no appearance
Mr.Mahadevan for Mr.P.M.Duraisamy (R4)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the 1st respondent to survey the lands of the petitioner situated in S.No.68/1B, Alamelupuram Village, Pappireddipatti Taluk, Dharmapuri District and sub-divide the same and issue a separate patta to the petitioner and also to direct the 2nd respondent to give proper police protection during the survey and fencing of the land.

2.Mr.V.Elangovan, learned counsel appearing for the petitioner submitted that though the petitioner has given his representation to survey the lands as early as on 01.07.2013 and also submitted an application on 02.08.2013 along with necessary payment, the 1st respondent has not conducted the survey yet.

3.Mrs.K.Bhuvaneswari, learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the 1st respondent may be directed to consider the petitioner's representation and application dated 01.07.2013 and 02.08.2013 respectively and pass orders in accordance with law.

4.Mr.Mahadevan, learned counsel appearing for the 4th respondent submitted that the 1st respondent may be directed to consider the petitioner's representation and pass orders in accordance with law, after giving notice to the respondents 3 and 4.

5.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's representation and application dated 01.07.2013 and 02.08.2013 respectively, on merits and in accordance with law and pass orders, after giving an opportunity of hearing to the petitioner as well as to the respondents 3 and 4, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With these observations, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CS-)

True Copy

Sub-Assistant Registrar

To

1.The Tahsildar,
Pappireddipatti Taluk,
Pappireddipatti, Dharmapuri District.

2.The Inspector of Police,
Pappireddipatti Police Station,
Dharmapuri District.

+1 cc to Mr.S.Doraisamy, Advocate,sr.26208

+1 cc to Government Pleader,sr.26341.

Ks(co)
krd 18/8

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