

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2020

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.No.8704 of 2020

M.Jaganathan
S/o.Mallagounder
Rachikadu, Mallagoundanoor,
Chellapillaikuttai Post,
Omalur Taluk, Salem District. Petitioner

Vs.

- 1.The District Collector,
Salem District,
Salem.
- 2.The Assistant Director of Survey
and Land Records,
Collectorate,
Salem District,
Salem.
- 3.The Tahsildar,
Omalur Taluk, Salem District.
- 4.The Taluk Surveyor,
Omalur Taluk, Salem District.
- 5.The Village Administrative Officer,
Chellapillakuttai Village,
Omalur Taluk,
Salem District. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 3 to 5 to make measurement of the petitioner's land measuring 0-33.50 Ares in S.No.121/3D of Chellapillaikuttai Village, Omalur Taluk, Salem District and complete the same within the time stipulated.

For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.J.Ramesh
Additional Government Pleader

O R D E R

Mr.J.Ramesh, learned Additional Government Pleader takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Seeking a direction to the respondents 3 to 5 to measure the land in S.No.121/3D situated at Chellapillaikuttai Village, Omalur Taluk, Salem District, the petitioner has preferred this writ petition.

3. According to the petitioner, he is aged about 76 years and is carrying on agricultural activities by cultivating the paddy, sugarcane etc., in the above said land belonging to him. It is his grievance that the crops growing in the said agricultural land are often getting affected by cattles and so, he decided to lay a barber wire fence around his land. Therefore, he submitted representations dated 25.11.2019 and 24.02.2020 to the 3rd respondent to measure the said land. Since no action has been taken on the said representations, the petitioner has no other option except to file this writ petition for the aforesaid relief.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader taking notice for the respondents, who, on instructions, submitted that due to COVID-19, steps have not been taken and the petitioner's land will be measured at the earliest.

5. Considering the limited scope of the prayer made herein, without expressing any opinion with regard to the claim made by the petitioner, but recording the statement made by the learned Additional Government Pleader appearing for the respondents, this Court directs the third respondent to consider the representations dated 25.11.2019 and 24.02.2020 submitted by the petitioner, on merits and proceed further in accordance with law. Such an exercise shall be done by the third respondent within a period of eight weeks from the date of uploading the copy of this order in the website.

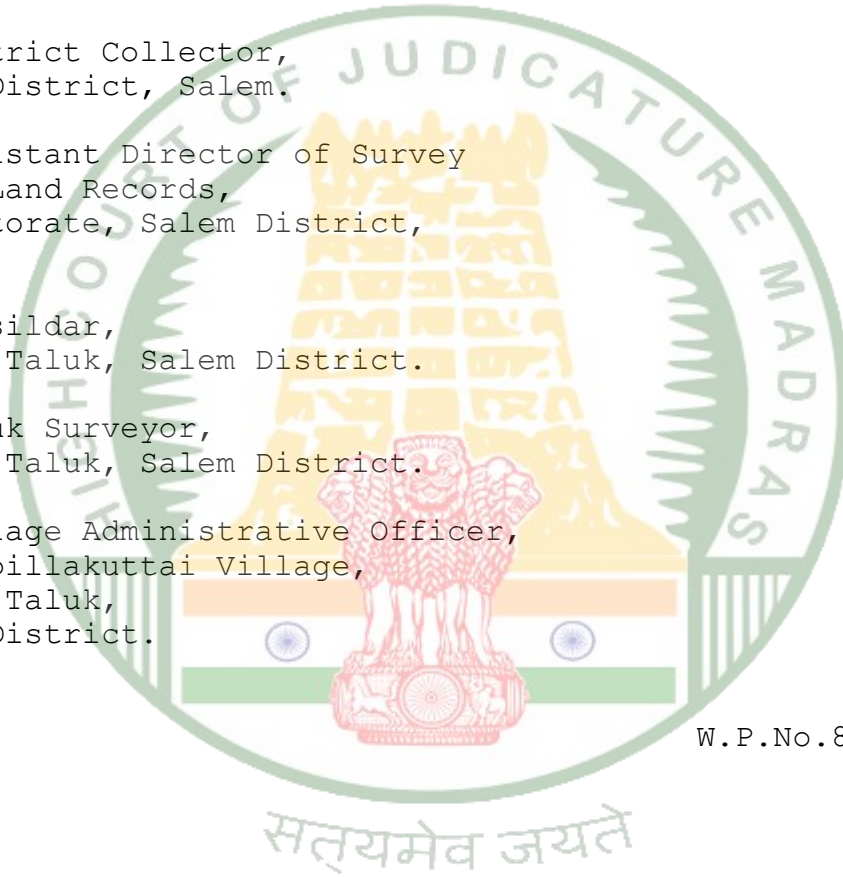
6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/
Sub Asst. Registrar

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To

- 1.The District Collector,
Salem District, Salem.
- 2.The Assistant Director of Survey
and Land Records,
Collectorate, Salem District,
Salem.
- 3.The Tahsildar,
Omalar Taluk, Salem District.
- 4.The Taluk Surveyor,
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