

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.19416 of 2020

M. Subramanian

... Petitioner

v.

1. The Thasildar,
Chinnasalem,
Chinnasalem Taluk,
Kallakurichi District.

2. The Surveyor,
O/o. Thasildar Office,
Chinnasalem,
Chinnasalem Taluk,
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to survey the property in respect the property in Survey No.130/3C2, 130/4B2 which is situated at Karadichithur Village, Chinnasalem Taluk, Kallakurichi District, based on my representation dated 04.12.2020, within fixed time stipulated by this Court.

For Petitioner : Mr. R. Muruga Bharathi

For Respondents : Mr. E. Balamurugan
Special Govt. Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to survey the property in respect of Survey Nos.130/3C2 and 130/4B2, which are situated at Karaichithur Village, Chinnasalem Taluk, Kallakurichi District, based on the representation dated 04.12.2020, within a time frame.

2. Mr. R. Muruga Bharathi, learned counsel appearing for the petitioner submitted that though the petitioner has given his representation as early as on 04.12.2020 along with the requisite fee, the respondents have not surveyed the land yet.

3. Mr. E. Balamurugan, learned Special Government Pleader taking notice for the respondents submitted that there is a rival claimant in respect of the said land, by name, one Shanmugam and further submitted that the respondent may be directed to conduct survey of the land in question after giving notice to all the interested parties

4. Having regard to the submissions made by the counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the respondents to consider the petitioner's representation dated 04.12.2020 and pass orders on merits and in accordance with law, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Thasildar,
Chinnasalem,
Chinnasalem Taluk,
Kallakurichi District.

2. The Surveyor,
O/o. Thasildar Office,
Chinnasalem,
Chinnasalem Taluk,
Kallakurichi District.

+1cc to M/s.R.Murugabharathi, Advocate SR.42419

W.P.No.19416 of 2020

AJS (CO)
CB(18/01/2021)