

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.29472 of 2019 and
W.M.P.Nos.34416 of 2019 & 201 of 2020

P.Gopalakrishnan

... Petitioner

.Vs.

1. The Revenue Divisional Officer,
Salem, Salem District.
2. The Assistant Director,
Land Survey Department, Collectorate,
Salem, Salem District.
3. The Tahsildar,
Salem West Taluk, Suramangalam,
Salem District.
4. The Taluk Surveyor,
O/o. Salem West Taluk,
Suramangalam, Salem District.
5. P.Viswanathan ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents 3 and 4 to measure the land situated in S.No.E-6/7/4, Pallapatti Village, Salem District by taking note of registered Partition Deed in Document No.2521 of 1956, dated 05.07.1956 and fix the boundaries of the said land and pass orders.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.N.Parthasarathi,
Government Advocate

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the application submitted by the petitioner and to survey the land and fix the boundaries.

2.Mr.C.Prakasam, learned counsel appearing on behalf of the petitioner submitted that the first respondent has already issued proceedings dated 07.08.2020 directing the third respondent to conduct an enquiry and submit a report before the first respondent. The learned counsel submitted that in view of this subsequent development, this Court can direct the first respondent to pass appropriate orders after getting a report from the 3rd respondent within the time frame fixed by this Court.

3.Heard Mr.S.N.Parthasarathi, learned Government Advocate appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and subsequent development that has been taken place, there shall be a direction to the first respondent to conduct an enquiry strictly in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this render. The first respondent shall issue notice to the fifth and sixth respondents before conducting the enquiry and passing final orders. The first respondent shall afford an opportunity to the parties concerned. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

5.This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Salem, Salem District.
2. The Assistant Director,
Land Survey Department, Collectorate,
Salem, Salem District.
3. The Tahsildar,
Salem West Taluk, Suramangalam,
Salem District.

4. The Taluk Surveyor,
O/o. Salem West Taluk,
Suramangalam, Salem District.

5. The Government Pleader,
High Court, Madras.

+1cc to the Government Pleader, Sr.No.27408

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