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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24..06..2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10245 of 2021

R.Karuppusamy

... Petitioner

-Versus-

- 1.The District Collector,
Coimbatore,
Coimbatore District.
- 2.The Revenue Divisional Officer,
Coimbatore South,
Coimbatore.
- 3.The Tahsildar,
Sulur,
Coimbatore.
- 4.The Head Surveyor,
Sulur Taluk,
Coimbatore District.
- 5.The Firka Surveyor,
Selakarichal,
Sulur Taluk,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 3 to 5 to conduct survey of the petitioner property comprised in S.No.535/2, Sub-Divided as S.No.535/2B1 situated at Selakarichal Village, Sulur Taluk, Coimbatore District by considering his representation dated 18.03.2021.

For Petitioner	: Mr.K.Myilsamy
For Respondent(s)	: Mr.K.M.D.Muhilan, Government Advocate for RR1 to 5



ORDER

[This matter has been heard through video conference]

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This writ petition has been filed seeking a direction to the respondents 3 to 5 to consider the representation of the petitioner dated 18.03.2021 for conducting survey of the petitioner's landed property comprised in S.No.535/2, Sub-Divided as S.No.535/2B1 situated at Selakarichal Village, Sulur Taluk, Coimbatore District.

2. According to the petitioner, he has become the absolute owner of the subject matter of the property having purchased the same by way of two different sale deeds dated 05.04.2010 and 23.01.2013 from one A.Rajeswaran and Tmt.Saraswathy, represented by her power agent Mr.N.Muthu, respectively. Since the date of purchase, he has been in possession and enjoyment of the same without any interruption from anybody. The survey number of the subject matter of properties were sub divided and a patta was also changed in the name of the petitioner. While so, he made an application dated 19.01.2021 to the 3rd respondent for survey of his properties. Necessary charges were also paid. Though the 5th respondent had issued a notice to the petitioner informing that his properties would be surveyed on 08.02.2021, no survey was conducted on the above said date. Subsequently, no communication has been received from the respondents. In the above circumstances, the petitioner renewed his request. The grievance of the petitioner is that the request for survey of his properties has not been considered by the respondents till date.

3.Heard both sides and also perused the records carefully.

4. Considering the limited nature of the relief sought for in the writ petition and the other facts and circumstances of the case, without going into the merits of the case, this court directs the respondents 3 to 5 to consider the applications of the petitioner dated 19.01.2021 and 18.03.2021 and survey the subject matter of the property in accordance with law after giving notice to the petitioner as well as to the objectors, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



kmk

To

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Coimbatore District.
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 - 5.The Firka Surveyor,
Selakarichal,
Sulur Taluk, Coimbatore District.
- +1cc to Mr.K.Myilsamy, Advocate Sr.29355

Writ Petition No.10245 of 2021

sr II[co]
srg 20/07/2021