



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.08.2021

CORAM

THE HON'BLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.15539 of 2021

M.Rose

.. Petitioner

Vs.

1. The District Collector  
Kanchipuram District  
Kanchipuram.
2. The Thasildar  
Taluk Office  
Walajabad, Kanchipuram District
3. The Head Surveyor  
Taluk Office  
Walajabad, Kanchipuram District.
4. D.Mohanraj

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first to third respondents to consider the petitioner representation dated 17.07.2021 within stipulated period and consequently direct the second respondent to pass an speaking order against the fourth respondent.

For Petitioner : Mr. G.M.Shankar  
for Mr. T.V.G. Kartheeban

For RR 1 to 3 : Mr. K.M.D. Muhilan  
Government Advocate

ORDER

Keeping the writ petition on file would only aggravate the feelings issues between the petitioner and the fourth respondent. They have been at lis for quite a considerable period of time with institution of O.S.No. 76 of 1981, then A.S.No. 105 of 1985 and finally S.A.No. 1920 of 1986. There was



another round of litigation in O.S.No. 13 of 2006 which also appears to have travelled its normal course. There was yet another writ petition in W.P.No. 6646 of 2021.

2. Now a further writ petition has been filed. The relief which was sought in the earlier writ petition was for a direction to the Thasildar to survey the properties. The learned Judge had directed the Thasildar to conduct an enquiry and thereafter proceed further with survey.

3. The writ petitioner complains that effective hearing was not given.

4. I find no reason to give keeping the writ petition on board except to pass an order directing the Thasildar, to comply the requirements as stipulated, namely, to issue notice to every individual concerned, enquire them and then pass necessary orders. The petitioner and the fourth respondent are hereby directed and put on notice that conducting enquiry and would only mean hearing them and taking on record any document, but certainly cannot be extended to a quasi judicial proceedings or recording of evidence.

5. The exercise by the Thasildar is to be completed within a period of 20 weeks from the date of receipt of copy of this order. The Thasildar is also under an obligation to issue notice to all the parties to the civil suit.

6. With the above said observation, this Writ Petition is disposed of. No order as to costs.

s/d-  
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

vsg

To

1. The District Collector  
Kanchipuram District  
Kanchipuram.
2. The Thasildar  
Taluk Office  
Walajabad, Kanchipuram District



3. The Head Surveyor  
Taluk Office  
Walajabad, Kanchipuram District.

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+1cc to Mr. T.V.G. Kartheeban, Advocate, SR.No.41380  
+1cc to M/r.P.Satheesh kumar, Advocate, SR.No.41279  
+1cc to Government Pleader, SR.No.41363

W.P.No.15539 of 2021

GPL (CO)  
CT (08/09/2021)