



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.33798 of 2014

and

M.P.No. 1 of 2014

K.Banumathi

... Petitioner

-Vs-

1. The District Collector,
Salem District,
Salem.
2. The Superintendent of Police,
Salem, Salem District.
3. The Tahsildar,
Attur, Salem District.
4. The Inspector of Police,
Yethappur Police Station,
Yethappur, Attur Taluk,
Salem District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to resurvey the land in Survey No.126/1, Resurvey No.300/1A in an extent of 896 sq ft. in Salem Attur Main Road, Yethappur, Attur Taluk, Salem District, in the presence of the petitioner's advocate and give patta to the petitioner so as to enable the petitioner to complete the construction.

For Petitioner : Mr.C.Vediappan
for C.S.Associates.

For Respondents : Mr.M.R.Gokul Krishnan
Government Advocate.



ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the third respondent to resurvey the land in Survey No.126/1, Resurvey No.300/1A in an extent of 896 sq ft. in Salem Attur Main Road, Yethappur, Attur Taluk, Salem District, in the presence of the petitioner's advocate and give patta to the petitioner so as to enable the petitioner to complete the construction.

2. Heard Mr.C.Vediappan, learned counsel appearing for the petitioner and Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents.

3. The learned counsel for the petitioner would submit that the sole petitioner died. On perusal of the writ petition reveals that the deceased petitioner sought for direction, directing the third respondent to resurvey the land in Survey No.126/1, Resurvey No.300/1A in an extent of 896 sq ft. in Salem Attur Main Road, Yethappur, Attur Taluk, Salem District.

4. Considering the said prayer, the legal heirs of the deceased petitioner is at liberty to submit a fresh representation with fees to the third respondent to re-survey the subject land, within a period of two weeks from the date of receipt of a copy of this order.

5. On receipt of the same, the third respondent is directed to comply the request made by the legal heirs of the deceased petitioner after issuance of notice to the parties concerned if any.

6. With the above direction, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mn

To

1. The District Collector,
Salem District,
Salem.



2. The Superintendent of Police,
Salem, Salem District.

3. The Tahsildar,
Attur, Salem District.

4. The Inspector of Police,
Yethappur Police Station,
Yethappur, Attur Taluk,
Salem District.

+1cc to M/s.C.Vediappan, Advocate, S.R.No.54723

+1cc to the Government Pleader, S.R.No.55082

W.P.No.33798 of 2014
and
M.P.No. 1 of 2014

VSN-II (CO)
SU(17/11/2021)