



directing the 2nd and 3rd respondents herein to consider the petitioner's representation dated 06.10.2020 and reminder representation dated 24.03.2021 to measure the boundaries bearing S.No.367/1B1, 1C1 totally admeasuring 1.52(1/2) acres of land which is situated in Ethapur Village, Pethanaickenpalayam Taluk, Salem District belongs to the petitioner as per revenue records and issue separate patta in favour of the petitioner and pass orders accordingly.

2.The learned counsel for the petitioner would submit that the petitioner is the absolute owner of the property bearing S.No.367/1B1, 1C1 totally admeasuring 1.52.5 cents of land which is situated in Ethapur Village, Pethanaickenpalayam Taluk, Salem District vide Sale Deed dated 19.04.2004 in Document No.665/2004. From the date of purchase, the petitioner is in possession and enjoyment of the aforesaid property and he was obtained Patta No.1234 and 524 for the same. Under such circumstances, the petitioner wants to measure the four side boundaries of the said property as per the revenue records for which purpose he made a representation dated 06.10.2020 and reminder representation dated 24.03.2021 to the respondents herein. However, there is no reply and response from them on his representation dated 06.10.2020 and reminder representation dated 24.03.2021 so far. Hence, the petitioner is left with no other alternative and efficacious remedy except to approach this Court by invoking its jurisdiction under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to measure the four boundaries of the aforesaid property within a time frame as fixed by this Court.

3. The learned Government Advocate for the respondents would submit that the Surveyor are measuring the property as per the seniority basis. However, the respondents may be directed to measure the property as per the revenue records within a time framed as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.

5. Having considering the facts and circumstances of the case and the submissions of the learned counsel on either side, this Court without expressing any opinion with regard to the merits of the case, directs the respondents to consider the representation dated 06.10.2020 and reminder representation dated 24.03.2021 in order to measure the property in Survey No.367/1B1, 1C1 totally admeasuring 1.52(1/2) acres of land



which is situated in Ethapur Village, Pethanaickenpalayam Taluk, Salem District and pass appropriate orders within a period of four months from the date of receipt of copy of this order in accordance with law since Joint Patta stands in the name of the petitioner.

6. In the result, the Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

Lbm
To:

1. The District Collector,
Collectorate,
Salem District.
2. The Tahsildar,
Taluk Office,
Pethanaickenpalayam Taluk,
Salem District.
3. The Head Surveyor,
Taluk Office,
Pethanaickenpalayam Taluk,
Salem District.

+1 CC to The Government Pleader sr 51598

W.P. No.20955 of 2021

GSM(CO)
SP(16/12/2021)