



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)Nos.17447 and 17448 of 2021

Ramathal ... Petitioner in W.P.(MD)No.17447 of 2021

Nandhini ... Petitioner in W.P.(MD)No.17448 of 2021

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

3.The Special Tahsildar,
Adi Dravidar Welfare,
Palani Taluk,
Dindigul District.

4.The Taluk Surveyor,
Palani Taluk,
Dindigul District. ... Respondents in both Writ Petitions

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to carry out survey, measurement and demarcation of boundaries of the petitioners' assigned land in Plot Nos.144 and 109, respectively, measuring to an extent of 3 cents each compromised in Survey No.636/2B situated at Kanakkanpatti Village, Palani Taluk, Dindigul District by considering the representation dated 01.10.2020 and the reminder sent on 26.08.2021. (in both W.Ps)

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.P.Subbaraj,
Counsel for State.



COMMON ORDER

The respective petitioner states that she is in possession of the relevant plots from the date of assignment.

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2.The respective petitioner asserts that she was unable to undertake construction on the assigned plot on account of the fact that the boundaries thereof had not been demarcated. Therefore, the respective petitioner submitted a representation requesting for survey on 01.10.2020 and also submitted a reminder dated 26.08.2021 in such regard.

3.Mr.P.Subbaraj, learned Counsel for the State, accepts notice on behalf of all the respondents. He submits that the application of the respective petitioner for survey may be directed to be considered and disposed of on merits.

4.The respective petitioner has enclosed a copy of the respective proceedings under which the respective plot was assigned. There is no evidence on record that such assignment has been cancelled. However, the respondents should examine as to whether the proceedings for cancellation of assignment are on going before taking a decision on the respective petitioner's request for survey.

5.Subject to the above observations but without rendering any findings on merits, the second respondent is directed to consider and dispose of the representation dated 01.10.2021 of the respective petitioner seeking survey of the respective plot and dispose of such respective representation by a reasoned order within a period of three months from the date of receipt of a copy of this order.

6.W.P.(MD)Nos.17447 and 17448 of 2021 are disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

3.The Special Tahsildar,
Adi Dravidar Welfare,
Palani Taluk,
Dindigul District.

4.The Taluk Surveyor,
Palani Taluk,
Dindigul District.

+1 CC to M/s.SPL. GP (SR No. 30890)

W.P(MD)Nos.17447 and 17448 of 2021
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MGJ(07.10.2021) 3P 6C