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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE M. DHANDAPANI

W.P. No.3334 of 2022

Pappathi @ Rathinam

...Petitioner

Vs.

1. The District Collector,
Collectorate,
Salem-636001.
2. The Tahsildar,
Salem South,
Salem South Taluk Office,
No.74/199 Maniyanur,
Sale,-636 010.
3. The Firka Surveyor,
Veerapandi Firka,
Salem South Taluk Office,
No.74/199 Maniyanur,
Salem 636010.
4. Village Administrative Officer,
No.50, Chennagiri Village,
Salem South, Salem.
5. Sriram Parvathy
President,
Chennagiri Village Panchayath,
No.50, Near VAO Office,
Salem South,
Salem.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direct the respondents 1 to 4 to measure petitioner's property in S.No.70/4, in Vedichi Palayam Village, Chennagiri Panchayath, Salem District measuring 23 cents bounded north and east by third party lands and west by common pathway and south by panchayath road.



For Petitioner : Mr.S.Kaithamalai Kumaran

For Respondents: Mr.T.Chezhiyan
Additional Government Pleader

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O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to measure petitioner's property in S.No.70/4, in Vedichi Palayam Village, Chennagiri Panchayath, Salem District measuring 23 cents bounded north and east by third party lands and west by common pathway and south by panchayath road.

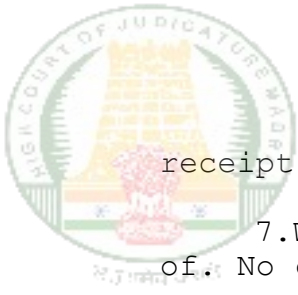
2. The learned Additional Government Pleader takes notice to the official respondents. Since, no adverse orders is being passed against the private respondents, notice to the private respondents is dispensed with.

3. The case of the petitioner is that the petitioner is the owner of the property measuring 23 cents in S.No.70/4 Vedichi Palayam Village, Chennigiri Panchayath, Salem District vide Sale deed dated 20.11.2006 executed by the Subordinate Judge, Salem vide D.No.1951/2006 in R.E.P.No.294 of 2005 in O.S.No.413/2001. The said property is bounded by panchayath road in the southern side. The 4th and 5th respondents encroached upon the southern boundary of the property on 19.01.2022 under the guise of laying drainage channel. The petitioner made a representation to the 2nd respondent on 27.01.2022 to measure the petitioner's property and the petitioner also paid the required fees. But, till date no orders have been passed. Hence, this writ petition is filed.

4.The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the respondents 1 to 4 to consider and pass orders on the petitioner's representation dated 27.01.2022 in accordance with law and pass appropriate orders within a particular time frame fixed by this Court.

5.The learned Additional Government Pleader appearing on behalf of the respondent submits that the petitioner's representation dated 10.06.2021 will be considered by the respondents within the time frame fixed by this Court.

6.Considering the facts and circumstances, the respondents 1 to 4 are directed to consider the petitioner's representation dated 27.01.2022 with regard to measuring the land and pass orders on merits and in accordance with law after providing opportunity of hearing to the petitioner and the other private respondents within a period of twelve weeks from the date of



receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The District Collector,
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2. The Tahsildar,
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Salem South Taluk Office,
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Salem,-636 010.
3. The Firka Surveyor,
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Salem South Taluk Office,
No.74/199 Maniyanur,
Salem 636010.
4. Village Administrative Officer,
No.50, Chennagiri Village,
Salem South,
Salem.

+1cc to Mr.S.Kaithamalai Kumaran, Advocate, S.R.No.11380

+1cc to the Government Pleader, S.R.No.12310

W.P. No.3334 of 2022

GSM(CO)
RGA(11/03/2022)