



WEB COPY



W.P.No.4299 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4299 of 2022

Malliga

...Petitioner

VS.

1. The Tahsildar,
Taluk Office,
Edapadi,
Salem District.

2. The Land Surveyor/FIRKA Surveyor,
Edapadi Village,
Salem District.

3. The Village Administrative Officer,
Edapadi Village,
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1,2,3 to survey the land comprised in Survey No.95/3 to total extent of 15 ¼ Cents in Vellapuram Village, Edapadi Taluk, Salem District with the help of competent surveyor in field measurements and village map and with



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sufficient police protection and further direction to the respondents 1 & 2 to mark the land laying corner stones and to file a report of survey within a stipulated period thereby directing the respondents to dispose my application dated 21.11.2020 and representation dated 27.12.2021 within a fixed time frame as stipulated by this Hon'ble Court.

For Petitioner : Mr.T.K.S.Bharathy Shri
For Respondents : Mr.M.Murali
Government Advocate

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus directing respondents to survey the land comprised in Survey No.95/3 to total extent of 15 ¼ Cents in Vellapuram Village, Edapadi Taluk, Salem District and further direction to the respondents 1 & 2 to mark the land laying corner stones and to file a report of survey within a stipulated period thereby directing the respondents to dispose her application dated 21.11.2020 and representation dated 27.12.2021 within a fixed time frame fixed by this Court.

2. The case of the petitioner is that, she is the owner of the property in S.No.95/3 situated in the above said Village for the past 16 years which was



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purchased through sale deed dated 26.04.2006 vide Document No.1121 of 2006. While so, the patta, chitta, adangal and all Revenue records were transferred in the name of the petitioner. When the adjacent land owner one Annamalai was trying to occupy the petitioner's land, she made an application to the respondents on 21.11.2020 and reminder representation dated 27.12.2021 to survey the said land and to mark and place the boundary stones in order to protect the land from encroachers. Since no steps were taken by the respondents to survey the said land, The petitioner has come up with the present Writ Petition seeking aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representations dated 21.11.2020 and 27.12.2021 and pass orders on merits within a particular time frame fixed by this Court.

4. The learned Government Advocate for respondents has no objection for said order being passed.



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WEB COPY 5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 27.08.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly **disposed of**. No costs.

01.03.2022

rap/skt

Index : Yes/No
Speaking order : Yes/No

To

1. The Tahsildar,
Taluk Office,
Edapadi,
Salem District.
2. The Land Surveyor/FIRKA Surveyor,
Edapadi Village,
Salem District.
3. The Village Administrative Officer,

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Edapadi Village,
Salem District.

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M.DHANDAPANI, J.



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