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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.3983 OF 2022

AND

W.M.P.NO.4127 OF 2022

N.Nandakumar

... Petitioner

Versus

1. The District Revenue Officer,
Coimbatore Collector Office,
Mettupalayam Road,
Goundampalayam,
Coimbatore - 641 002.
2. The Assistant Director,
Survey and Record,
Coimbatore District,
Office of Collectorate 2nd floor,
Coimbatore District - 641 002.
3. The Head Surveyor,
Coimbatore District,
Goundampalayam,
Coimbatore - 641 002.
4. The Tahsildar,
Annur Taluk,
Office of the Tahsildar,
Annur, Coimbatore - 641 002.
5. The Surveyor,
Annur Taluk,
Coimbatore - 641 002.
6. Palaniswamy

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing 1 to



3 respondents to conduct enquiry and pass orders within a short time limit on the basis of the Petitioner representation dated 10.02.2022 and consequently forbear 4 and 5 respondents from conducting surveying and laying boundaries stones in petitioner property situated in S.NO.485/3B2A at Sarkar Samakulam Village, Annur Taluk, Coimbatore District, to an extent of 1 Acre and 87 cents.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.M.Murali
Government Advocate

O R D E R

The present writ petition has been filed to direct the respondents 1 to 3 to conduct enquiry based on the Petitioner representation dated 10.02.2022 and consequently forbear 4 and 5 respondents from conducting surveying and laying boundaries stones in petitioner's property situated in S.No. 485 /3B2A at Sarkar Samakulam Village, Annur Taluk, Coimbatore District, to an extent of 1 Acre and 87 cents.

2. Since no adverse orders have been passed against the 6th respondents, notice to the 6th respondent is dispensed with.

3. The case of the petitioner is that the petitioner is the absolute owner of 1 Acre 87cents in S.No.485/3, Sarkar Samakulam Village, Annur Taluk, Coimbatore District. Thereafter, the 6th respondent made a false petition to the 4th respondent that the petitioner had encroached 5 feet of Vandipathai in the 6th respondent's land. Therefore, the petitioner made a representation to the respondents 1 to 4 to conduct enquiry and forbear the respondents 4 and 5 from conducting survey and laying boundary stones in the petitioner's property. However, till date, no order was passed on the representation made by the petitioner. Aggrieved by the same, this Writ Petition has been filed.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents 1 to 3 to consider the petitioner's representation dated 10.02.2022 within the stipulated time as fixed by this Court.

5. The learned Special Government Pleader submitted that the petitioner's representation will be considered and appropriate orders will be passed within the time stipulated by this Court.



6. Considering the facts and circumstances of the case and the limited request sought for by the petitioner, this Court directs the respondents 1 to 3 to consider the petitioner's representation dated 10.02.2022 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the 6th respondent and aggrieved party, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nti/Anu

To

1. The District Revenue Officer,
Coimbatore Collector Office,
Mettupalayam Road,
Goundampalayam,
Coimbatore - 641 002.
2. The Assistant Director,
Survey and Record,
Coimbatore District,
Office of Collectorate 2nd floor,
Coimbatore District - 641 002.
3. The Head Surveyor,
Coimbatore District,
Goundampalayam,
Coimbatore - 641 002.
4. The Tahsildar,
Annur Taluk,
Office of the Tahsildar,
Annur, Coimbatore - 641 002.



5. The Surveyor,
Annur Taluk,
Coimbatore - 641 002.

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+1cc to the Government Pleader, S.R.No.13365

+1cc to Mr.S.Venkatesh, Advocate, S.R.No.12881 (04/04/2022)

W.P.NO.3983 OF 2022

BP (CO)

PBS/24/03/2022