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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.3844 OF 2022

A.Muniyan

.. Petitioner

Versus

1. The Tahsildar,
Thiruvannamalai District,
Thiruvannamalai.
2. The Head Surveyor, Taluk Office,
Tahsildar Office,
Vanthavasai Taluk,
Thiruvannamalai District.
3. The Taluk Assistant Inspector (Land Survey)
Vanthavasi Taluk,
Thiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent to consider the representation dated 11.12.2021 and consequently direct the Respondent to depute a competent surveyor to measure the property at Survey No. 390/11, measuring an extent of 1 Acre 61 Cents situated in Inchimedu village, within a stipulated time.

For Petitioner : Mr.S.Ram Kumar

For Respondents : Mr.G.Nanmaran
Special Government Pleader

O R D E R

The present writ petition has been filed to direct the respondent to consider the representation dated 11.12.2021 and consequently direct to depute a competent surveyor to measure the property at Survey No. 390/11, measuring an extent of 1 Acre 61 Cents situated in Inchimedu village, within a stipulated time.



2.The case of the petitioner is that the petitioner is the absolute owner of the property bearing Survey No.390/11, measuring an extent of 1 acre 61 cents. While so, one Mr.Design who is the adjacent land owner, have encroached the petitioner's property to an extent of 3.6 meter in the northern upper side and 2.0 meter in northern lower side. Thereafter, the petitioner made a representation to the respondent on 11.12.2021 to survey and fix the boundaries in the petitioner's land. However, till date, no order was passed on the representation made by the petitioner. Aggrieved by the same, this Writ Petition has been filed.

3.The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation dated 11.12.2021 within the stipulated time as fixed by this Court.

4.The learned Special Government Pleader submitted that the petitioner's representation dated 11.12.2021 will be considered by the respondents within a time frame that may be fixed by this Court.

5.Considering the facts and circumstances of the case and the limited request sought for by the petitioner, this court directs the respondents to consider the petitioner's representation dated 11.12.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the aggrieved party, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

nti/anu

To

1. The Tahsildar,
Thiruvannamalai District,
Thiruvannamalai.



2. The Head Surveyor, Taluk Office,
Tahsildar Office,
Vanthavasai Taluk,
Thiruvannamalai District.

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3. The Taluk Assistant Inspector (Land Survey)
Vanthavasi Taluk, Thiruvannamalai District.

+1cc to Mr.S.Ram Kumar, Advocate, S.R.No.12647

+1cc to the Government Pleader, S.R.No.13404

W.P.No.3844 of 2022

GPL (CO)
RLP (16/03/2022)