



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4450 of 2022

M.Varadan

...Petitioner

Vs.

1.The District Collector,
Thirupathur.

2.The Chief Surveyor of Lands,
Tahsildar Office,
Nattarampalli Taluk,
Thirupattur District - 635 854.

3.The Tahsildar,
Nattarampalli Taluk,
Nattarampalli,
Thirupattur District - 635 854.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 herein to consider the representation dated 25.01.2022 of the petitioner and survey the lands in Survey No.122/2, 122/3F and 122/D and demarcate the pathway passing through the aforesaid lands.

For petitioner : Ms.AL.Ganthimathi

For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the second and third respondents to consider the representation dated 25.01.2022 of the petitioner and survey the lands in Survey No.122/2, 122/3F and 122/D and demarcate the pathway passing through the aforesaid lands.

2. Mr.G.Nanmaran, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned



counsel appearing on either side, this petition is taken up for final disposal.

3.The case of the petitioner is that the petitioner is the owner of the property comprised in Survey.Nos.122/2, 122/3F and 122/D measuring an extent of 56 Cents, situated at Mornapalli Village, Hosur Taluk, Krishnagiri District. However, the owners of the adjacent lands, encroached upon the pathway and are trying to put up a permanent structure enclosed to petitioner's lands. Hence, the petitioner made a representation on 25.01.2022 to respondents 2 and 3 to measure and demarcate the pathway for the above said property. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the second and third respondents to consider the petitioner's representation dated 25.01.2022 within the time frame that may be fixed by this Court.

5.The learned Government Advocate appearing for the respondents submits that the petitioner's representation dated 25.01.2022 will be considered by the second and third respondent within the time frame that may be fixed by this Court.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second and third respondents to consider the petitioner's representation dated 25.01.2022, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to neighbours.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

tri/nhs

To

1.The District Collector,
Thirupathur.



2.The Chief Surveyor of Lands,
Tahsildar Office,
Nattarampalli Taluk,
Thirupattur District - 635 854.

3.The Tahsildar,
Nattarampalli Taluk,
Nattarampalli,
Thirupattur District - 635 854.

+1cc to M/s.AL.Gandhimathi, Advocate Sr.No.13627

+1cc to the Government Pleader Sr.No.14194

W.P.No.4450 of 2022

SPD (CO)
RVM(21/03/2022)