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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5010 OF 2022

N.Maharani

... Petitioner

Vs.

1. District Collector,
District Collectorate Office,
Kallakurichi District.
2. Assistant Director,
Surveyor Departments,
Kallakurichi District.
3. The Tahsildar,
Tahsildar Office,
Kallakurichi (T.K), Kallakurichi District.
4. Zonal Deputy Inspector,
Surveyor Section,
Taluk Office, Kallakurichi (T.K)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 28.06.2021 and 04.09.2021 consequently measure the petitioner's property bearing old S.No.17B, New S.No.298/1 admeasuring about 0.01 1/4 Cent in Askalathur village Kallakurichi T.K.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.G.Nanmaran
Special Government Pleader



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representations dated 28.06.2021 and 04.09.2021 and consequently measure the petitioner's property bearing old S.No.17B, New S.No.298/1 ad measuring about 0.01 1/4 Cent in Askalathur Village, Kallakurichi Taluk.

2. The case of the petitioner is that she has purchased the above said property, vide sale deed Doc.No.261/2021, registered on the file of Nagalur Sub Register Office. Thereafter, the petitioner had obtained Patta for the above said property. Due to the damages in her house, the petitioner demolished her old house and started to construct a new house in her premises. For the purpose of measurement and fixing the boundaries, she submitted an application dated 28.06.2021, seeking to survey her property to earmark the boundaries and she has also paid necessary fee of Rs.800/- as directed by the Surveyor, in State Bank of India, vide Challan dated 29.03.2021. Thereafter, 1st respondent, by proceeding dated 12.11.2021 in O.Mu.A3/15071/2021, directed the Revenue Tahsildar to take necessary action on the petitioner's complaint dated 04.09.2021 and report the same to their office. However, till date, no order has been passed. Hence, the present Writ Petition is filed.

3. The learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 3rd and 4th respondents to consider the petitioner's representation and pass orders on the same within a particular time frame that may be fixed by this Court.

4. Mr.G.Nanmaran, the learned Special Government Pleader appearing for the respondents has no objection for the said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the 3rd and 4th respondents to consider the petitioner's representations dated 28.06.2021 and 04.09.2021 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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

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Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

jd/skt

To

1. The District Collector,
District Collectorate Office,
Kallakurichi District.
2. The Assistant Director,
Surveyor Departments,
Kallakurichi District.
3. The Tahsildar,
Tahsildar Office,
Kallakurichi (T.K), Kallakurichi District.
4. The Zonal Deputy Inspector,
Surveyor Section,
Taluk Office, Kallakurichi (T.K)

+1cc to Mr.S.N.Subramani, Advocate, S.R.No.14943

+1cc to the Government Pleader, S.R.No.15888

W.P.No.5010 of 2022

MT(CO)
RLP(29/03/2022)