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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2022

CORAM :

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.6130 OF 2022

E.Palanisamy

...Petitioner

vs.

1.The Tahsildar,  
Salem West,  
Suramangalam,  
Salem District.

2.The Taluk Surveyor,  
Salem West,  
Suramangalam,  
Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to survey and fix the boundaries of petitioner's punjai land in survey Nos.9/4 and 9/10 and fix the boundaries measuring total extent 5,508 Sq.ft situated at Sivadapuram Village, Salem District by considering the petitioner's representation dated 27.01.2022 under section 5 of the Tamil Nadu Survey and Boundary Act, 1923 within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.A.Anandan  
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to survey and fix the boundaries in survey Nos.9/4 and 9/10 of a total extent 5,508 Sq.ft situated at Sivadapuram Village, Salem District by considering the petitioner's representation dated 27.01.2022 under section 5 of the Tamil Nadu Survey and Boundary Act, 1923 within the time frame fixed by this Court.

2. The case of the petitioner is that petitioner purchased the above said property measuring a total extent of 5,508 Sq.ft.



situated in said Village from one Selvi i.e., petitioner's Sister, vide settlement deed in his favour on 18.12.2020. Thereafter, petitioner is in possession and enjoyment of the said property. While that being so, the petitioner made several applications / representations before the respondents and the last of which dated 27.01.2022, to survey and fix the boundaries of petitioner's punjai land in above said survey numbers. Since the respondents have not acceded to the petitioner's request, he has filed the present Writ Petition seeking the 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 representation dated 27.01.2022 and pass orders on merits within a particular time frame that may be fixed by this Court.

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

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 27.01.2022 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner and aggrieved persons if any within a period of twelve weeks from the date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs.

Sd/-  
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

rap/sk

To

1.The Tahsildar,  
Salem West,  
Suramangalam,  
Salem District.



2.The Taluk Surveyor,  
Salem West,  
Suramangalam,  
Salem District.

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+1cc to Mr.S.Sivakumar, Advocate, Sr.No.18753

+1cc to the Government Pleader, Sr.No.18824

W.P.No.6130 of 2022

MT (CO)  
RVM(11/04/2022)