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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.6479 of 2022

Krishnamoorthy

... Petitioner

Vs.

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Tahsildar,
Dharapuram Taluk,
Tiruppur District.
3. The Head Surveyor,
Taluk Office,
Dharapuram Taluk,
Tiruppur District.
4. The Village Administrative Officer,
Kokkampalayam Village,
Dharapuram Taluk,
Tirupppur District.

5.B.Mahendran

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 to 4 to survey the land in Survey No.68/1A2 of Kokkampalayam Village, Dharapuram Taluk, Tiruppur District pursuant to the petitioner's representation dated 26.02.2022 within a stipulated time as fixed by this Hon'ble court in accordance with law of Tamil Nadu Survey and Boundaries Act, 1923.

For Petitioner : Mr.V.Lakshmi Narayanan

For Respondents : Mr.P.Sathish
Additional 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 2 to 4 to survey the land in Survey No.68/1A2 of Kokkampalayam Village, Dharapuram Taluk, Tiruppur District pursuant to the petitioner's representation dated 26.02.2022 within a stipulated time as fixed by this Court in accordance with law of Tamil Nadu Survey and Boundaries Act, 1923.

2. The learned Additional Government Pleader appearing on behalf of the respondents take notice for the official respondent. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed as against the private respondent, notice to the private respondent is dispensed with.

4. The case of the petitioner is that the petitioner is the owner of the property in Survey No.68/1A2, Kokkampalyam Village, Dharapuram Taluk, Tiruppur District. The 5th respondent, who is the owner of the adjacent property, disputed the boundaries of the property. Hence, the petitioner approached the 2nd and 3rd respondents to survey the land. Since there is no response from them, the petitioner made application to the 1st respondent, on 26.02.2022 for surveying the property. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

5. The learned counsel for the petitioner submitted that it would suffice if this Court issue a direction to the 1st respondent to consider the petitioner's representation, dated 26.02.2022, and pass orders within a reasonable time that may be fixed by this Court.

6. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 26.02.2022, will be considered by the respondents, within a reasonable time that may be fixed by this Court.

7. This Court, without going into the merits of the case, directed the 1st respondent to consider the petitioner's representation dated 26.02.2022, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.



8. With the above direction, this Writ petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Tahsildar,
Dharapuram Taluk,
Tiruppur District.
3. The Head Surveyor,
Taluk Office,
Dharapuram Taluk,
Tiruppur District.
4. The Village Administrative Officer,
Kokkampalayam Village,
Dharapuram Taluk,
Tirupppur District.

+1cc to Mr.V.Lakshmi Narayanan, Advocate, S.R.No.19330
+1cc to the Government Pleader, S.R.No.20384

W.P. No.6479 of 2022

GPL(CO)
CT 07/04/2022