



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7240 of 2022
W.M.P.No.7257 of 2022

A.Sampath

... Petitioner

Vs.

1.The Collector of Salem District,
Salem, Salem District.

2.The Revenue Divisional Officer,
Salem, Salem District.

3.The Assistant Director of
Survey and Land Reforms,
Salem.

4.The Revenue Tahsildar,
Thalaivasal Taluk,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent herein to survey the petitioner's lands measuring 2.01 acres comprised in Survey Nos.105/2B, 105/3, 105/4B and 105/5 under Patta No.1299 situated in Unathur Village, Thalaivasal Taluk, Salem District.

For petitioner

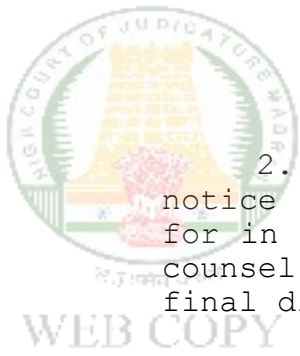
: Mr.T.Dhanasekaran

For Respondents

: Mr.R.P.Murugan Raja
Government Advocate

ORDER

The petitioner has filed this petition seeking direction to the fourth respondent herein to survey the petitioner's lands measuring 2.01 acres comprised in Survey Nos.105/2B, 105/3, 105/4B and 105/5 under Patta No.1299 situated in Unathur Village, Thalaivasal Taluk, Salem District.



2. Mr.R.P.Murugan Raja, learned Government Advocate 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 petitioner is the owner of the property comprised in Survey Nos.105/2B, 105/3, 105/4B and 105/5, measuring 2.01 acres, situated at Unathur Village, Thalaivasal Taluk, Salem District. Originally, the said property belongs to petitioner's father, after his demise petitioner and petitioner's mother are in joint possession of the said property. Thereafter, petitioner's mother settled the property in favour of the petitioner by a Deed of Release dated 11.09.2008, in Doc.No.2096 of 2008 on the file of the Sub Registrar, Thalaivasal. Hence, the petitioner made a representation dated 28.09.2021, before the fourth respondent to survey the above said property. However, till date no action has been taken by the fourth respondent 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 fourth respondent to consider the petitioner's representation dated 28.09.2021 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 28.09.2021 will be considered by fourth 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 fourth respondent to consider the petitioner's representation dated 28.09.2021, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



tri/nhs
To

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1.The Collector of Salem District,
Salem, Salem District.

2.The Revenue Divisional Officer,
Salem, Salem District.

3.The Assistant Director of
Survey and Land Reforms,
Salem.

4.The Revenue Tahsildar,
Thalaivasal Taluk,
Salem District.

+1 cc to Mr.T.Dhanasekaran, Advocate Sr.NO. 20940

+1 cc to Government Pleader Sr.NO. 21346

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PL(CO)
A.SK(21/04/2022)