



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.9500 of 2022

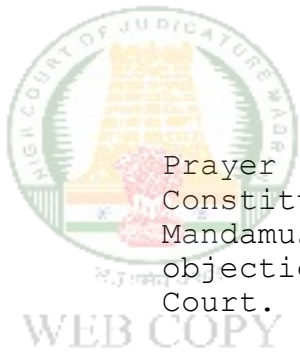
1. S.S.Ganesan
2. G.Arulkumar
3. Ramki
4. N.Ananadaraj
5. P.Palanisamy
6. Chinnaiyan
7. Tmt.Palaniyammal

... Petitioners

Vs.

1. The Collector,
Namakkal District.
2. The District Revenue Officer,
Namakkal District.
3. The Tahsildar,
Kollimalai Taluk,
Namakkal District.
4. The Assistant Director,
District Surveyor Department,
Collector Office, Namakkal.
5. The Firka Surveyor,
Vazhavandhi Nadu Firka,
Valappurnadu Village,
Kolli Hills Taluk,
Namakkal District.
6. The Village Assistant Officer,
Valappurnadu Village,
Kolli Hills Taluk,
Namakkal District.
7. S.Selvaraj
8. S.Rajendran

... 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 petitioners objections dated 14.03.2022 within the time stipulated by this Court.

For Petitioner : M/S.M.Jaisingh

For Respondents : Mr.Yogesh Kannadasan
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 petitioners objections dated 14.03.2022 within the time that may be stipulated by this Court.

2. The case of the petitioners is that the property in S.No.307, situated at Kollihills, Valappur Nadu Village, is the petitioners' ancestral property, with an extent of 12.69 Acres. All the petitioners got Patta in their name in respect of their property. However, the private respondents 7 and 8 have purchased 1.158 ½ and 1.58 ½ Acres of land out of 12.69 Acres. Thereafter, the private respondents filed W.P.No.594 of 2022 before this Court, and this Court, vide order dated 03.02.2022, directed to survey the aforesaid property by way of engaging a Tahsildar. Pursuant to that order, the petitioner received notice from the Tahsildar office on 27.02.2022. It was instructed that the petitioners and adjacent land owner shall turn up in the place of the land on a particular date. Thereafter, the 5th respondent/Firka Surveyor had conducted survey in the aforesaid property in favour of the private respondents and the private respondents 7 and 8 are trying to alienate the petitioners' properties. Therefore, the petitioners made objections dated 14.03.2022. As the said objections made by the petitioner has evoked no response from the respondents, the petitioners have filed the present Writ Petition.

3. The learned counsel for the petitioners submitted that, before filing this Writ Petition, the survey has been conducted in favour of the private respondents.

4. Since no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

5. Though the lands have already been surveyed, it is to be pointed out that it is the duty of the official respondents to consider the objections and pass orders based on the survey



conducted. In view of the above, this Court, without expressing any opinion on the merits of the case, directs the official respondents to consider the objections of the petitioners dated 14.03.2022 and pass orders on the same in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Upon orders being passed, it is open to the petitioners to work out their remedy in the manner known to law.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The Collector,
Namakkal District.
2. The District Revenue Officer,
Namakkal District.
3. The Tahsildar,
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Namakkal District.
4. The Assistant Director,
District Surveyor Department,
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5. The Firka Surveyor,
Vazhavandhi Nadu Firka,
Valappurnadu Village,
Kolli Hills Taluk, Namakkal District.
6. The Village Assistant Officer,
Valappurnadu Village,
Kolli Hills Taluk, Namakkal District.

+1cc to M/S.M.Jaisingh, Advocate, S.R.No.27623

+1cc to the Government Pleader, S.R.No.28004

W.P. No.9500 of 2022

VSN-II(CO)

CT 06/05/2022