



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.7630 OF 2022

AND

W.M.P.NO.7639 OF 2022

J.Sriram

... Petitioner

Vs.

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Revenue Divisional Officer,
Pollachi,
Coimbatore District.
3. The Tahsildar,
Kinathukadavu Taluk Office,
Coimbatore District.
4. Ayyasamy
5. Chinnasamy
6. Selvaraj

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the written objection dated 21.03.2022 raised by the petitioner before proceed with the land survey situated in S.Nos.340/4A, 342/3, 342/4, 345/4A and 345/4B, to the extent of 0.59 Cents situated at Vadapudhur Village, Kinathukadavu Taluk, Coimbatore District belongs to the respondents 4 to 6.

For Petitioner : Mr.V.Elangovan

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 written objection dated 21.03.2022 raised by the petitioner before proceed with the land survey situated in S.Nos.340/4A, 342/3, 342/4, 345/4A and 345/4B, to the extent of 0.59 Cents situated at Vadapudhur Village, Kinathukadavu Taluk, Coimbatore District belongs to the respondents 4 to 6.

2. The learned Special Government Pleader takes notice for the official respondents. 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 respondents, notice to the private respondents is dispensed with.

4. The case of the petitioner is that the petitioner is the owner of the property in S.Nos.340/4A, 342/3, 342/4, 345/4A and 345/4B, to an extent of 0.59 Cents, situated at Vadapudhur Village, Kinathukadavu Taluk, Coimbatore District. The private respondents namely respondents 4 to 6 are the owners of the adjacent land to the petitioner's land. The respondents 4 and 5 have filed a W.P.Nos.28099 and 28103 of 2021, for mandamus, direction to dispose their application dated 21.12.2021 and survey the lands and lay boundary stones and issue a separate Patta to the respondents in their respective Survey Numbers. This Court by order dated 29.12.2021, issued direction to the respondent therein, to measure the property and issue Patta within a period of twelve weeks from 31.12.2021. In order to implement the order, they came before the petitioner's land to measure the property and for fixing the boundaries. The petitioner made objection for measuring the petitioner's land along with the private respondents for fixing the boundaries. However, the respondent has not implemented the earlier order and also not considered the petitioner's representation/objection dated 21.03.2022. Hence, this Writ Petition is filed with the aforesaid prayer.

5. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the respondents to consider petitioner's representation, dated 21.03.2022 and pass appropriate orders within a reasonable time that may be fixed by this Court.

6. The Special Government Pleader appearing on behalf of the official respondents submitted that the petitioner's



representation, dated 21.03.2022 will be considered by the respondents within a stipulated time that may be fixed by this Court.

7. In view of the above, this Court without going into the merits of the case directed the respondents to implement the order in W.P.Nos.28099 and 28103 of 2021 and consider the petitioner's representation/objection letter, dated 21.03.2022 , 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Revenue Divisional Officer,
Pollachi,
Coimbatore District.
3. The Tahsildar,
Kinathukadavu Taluk Office,
Coimbatore District.

+1cc to the Government Pleader, S.R.No.22255

W.P. No.7630 of 2022
and W.M.P.No.7639 of 2022

KK(CO)
PM/13/04/2022