



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9319 of 2022

A.Joseph Berlin

...Petitioner

Vs.

The Tahsildar,
Pethanaickenpalayam Taluk,
Salem District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to Survey the petitioner property comprised in S.Nos.1022/5, 1022/6 and 1022/7 to an extent of 65 1/2 Cents situated at Chinna Kalrayan Hills North Village, Pethanaickenpalayam Taluk, Salem District and to mark the boundaries by considering the petitioner's application dated 14.09.2021.

For petitioner : Mr.R.Jayaprakash

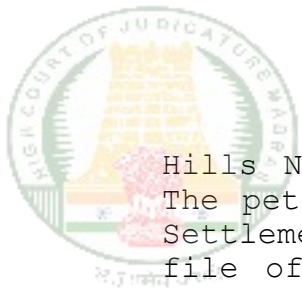
For Respondents : Mr.M.Murali
Government Advocate

ORDER

The petitioner has filed this petition seeking direction to the respondent to Survey the petitioner property comprised in S.Nos.1022/5, 1022/6 and 1022/7 to an extent of 65 1/2 Cents situated at Chinna Kalrayan Hills North Village, Pethanaickenpalayam Taluk, Salem District and to mark the boundaries by considering the petitioner's application dated 14.09.2021.

2. Mr.M.Murali, learned Government Advocate takes notice for the respondent. 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 the petitioner is the owner of the property comprised S.Nos.1022/6 and 1022/7, measuring an extent of 65 1/2 Cents, situated at Chinna Kalrayan



Hills North village, Pethanaickenpalayam Taluk, Salem District. The petitioner had acquired the property by way of a registered Settlement Deed dated 01.03.2016 in Doc.No.1013 of 2016, on the file of SRO, Pethanaickenpalayam. Hence, the petitioner made a representation dated 14.09.2021 before the respondent to Survey and to mark the boundaries to the above said property. However, till date no action has been taken by the 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 respondent to consider the petitioner's representation dated 14.09.2021 within the time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondent submits that the petitioner's representation dated 14.09.2021 will be considered by the 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 respondent to consider the petitioner's representation dated 14.09.2021, 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.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

tri/mn

To

The Tahsildar,
Pethanaickenpalayam Taluk, Salem District.

+1cc to Mr.R.Jayaprakash, Advocate SR. No. 26039

+1cc to Government Pleader SR. No.26773

W.P.No.9319 of 2022

PM (CO)

PR (27/04/2022)