



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10661 of 2022

Amsavalli

... Petitioner

vs.

1. The Tahsildar,
Chinnasalem & Taluk,
Kallakurichi District.

2. The Inspector of Police,
G-5, Kachirayapalayam Police Station,
Kachirayapalayam,
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to survey the land with regard to the land in survey No.152/55, at Parampattu Village, Mathur Post, Chinnasalem Taluk, Kallakurichi District and the 2nd respondent to provide adequate security for the purpose of survey within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.V.Gunasekar
For Respondents : Mr.A.Anandan
Government Advocate

ORDER

This writ petition has been filed seeking for issuance of a writ of Mandamus to direct the 1st respondent to survey the land with regard to the land in survey No.152/55, at Parampattu Village, Mathur Post, Chinnasalem Taluk, Kallakurichi District and the 2nd respondent to provide adequate security for the purpose of survey within the time frame fixed by this Court.

2. The case of the petitioner is that petitioner's grandfather is the owner of the above said land of an extent of 3 cents situated at said Village. Thereafter, petitioner's grandfather executed a Will in favour of the petitioner and the same was registered vide Document No.04 of 2009 at Sub Registrar Office. After the demise of petitioner's grandfather, petitioner is in possession and enjoyment of the said property. While so, petitioner made an application / representation before the respondents on 24.02.2022 to measure the above said land. Since



the same was not considered by the respondents, the petitioner has filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents 1 and 2 to consider the petitioner's representation dated 24.02.2022 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Government Advocate appearing for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the first respondent to consider the said representation of the petitioner dated 24.02.2022 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Chinnasalem & Taluk,
Kallakurichi District.

2. The Inspector of Police,
G-5, Kachirayapalayam Police Station,
Kachirayapalayam, Kallakurichi District.

+lcc to Mr.V.Gunasekar, Advocate, S.R.No.29826
+lcc to the Government Pleader, S.R.No.31030

W.P.No.10661 of 2022

VG-II(CO)
CT 01/06/2022