



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

W.P.No.10653 of 2022

Sivanesan

...Petitioner

Vs

1. The District Collector,
Namakkal District,
Namakkal.
2. The District Revenue Officer,
Namakkal,
Namakkal District.
3. The Assistant Director (Survey),
Namakkal,
Namakkal District.
4. The Revenue Divisional Officer,
Namakkal,
Namakkal District.
5. The Tahsildar,
Rasipuram Taluk,
Namakkal District.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to cause survey of the petitioner's land comprised in S.No.74/2A of Akkaraipatti Village, Rasipuram Taluk, Namakkal District with in a time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the fifth respondent to cause survey of the petitioner's land comprised in S.No.74/2A of Akkaraipatti Village, Rasipuram Taluk, Namakkal District with in a time frame that may be fixed by this Court.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the learned counsel appearing for 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 land comprised in S.No.74/2A of Akkaraipatti Village, Rasipuram Taluk, Namakkal District. In order to survey the subject property, the petitioner paid the requisite fees, on 19.01.2022. However, till date no order has been passed on the same. Hence, this present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the fifth respondent to survey the disputed property, within a particular time frame as may be fixed by this Court.

5. The learned Special Government Pleader has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the fifth respondent to consider the petitioner's request to survey the subject property and after affording an opportunity of hearing to the petitioner and aggrieved parties, if any, pass orders on merits and in accordance with law, to survey the subject property, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar

True Copy//

Sub Assistant Registrar



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Namakkal District,
Namakkal.
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4. The Revenue Divisional Officer,
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Namakkal District.
5. The Tahsildar,
Rasipuram Taluk,
Namakkal District.

+1cc to Mr.S.Saravanan, Advocate, S.R.No.29463
+1cc to the Government Pleader, S.R.No.30892

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