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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11199 OF 2022

Chinnakannu @ Perumal

... Petitioner

.Vs.

1. The Tahsildar,
Tahsildar Office,
Karimangalam,
Dharmapuri District.
2. The Survey Officers,
Periyanahalli Village,
Karimangalam Taluk,
Dharmapuri District.
3. Velu
4. Srinivasan
5. Vignesh
6. Suresh

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 15.09.2021.

For Petitioner : Mr.V.Sakkarapani

For R1 & R2 : Mr.M.Murali
Government Advocate



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 15.09.2021.

2. The case of the petitioner is that he owns properties in S.No.724, measuring an extent of Acre 0.54 cents, S.No.13/1B5, measuring an extent of Acre 0.16 cents, S.No.13/1B3, measuring an extent of Acre 0.10 cents, S.No.13/1B8, measuring an extent of 3 $\frac{1}{4}$ cents, S.No.13/1B9, measuring an extent of 9 $\frac{1}{4}$ cents, S.No.13/2B7, measuring an extent of Acre 0.11 cents, S.No.13/1B5, measuring an extent of Acre 0.16 cents, and S.No.13/2B4, measuring an extent of Acre 0.06 cents including Well, in Periyannahalli Village, Kariyamangalam Taluk and Dharmapuri District, by way of partition deed, dated 13.02.2001. Subsequent to the partition deed, the petitioner is in absolute possession and enjoyment of the properties, and doing agriculture in the aforesaid properties. Further, the petitioner intended to settle the said properties in favour of his sons. Therefore, the petitioner made a representation dated 15.09.2021 before the second respondent, seeking to measure his properties and mark the boundaries. While so, the private respondents/3 to 6 have restrained the officials from measuring the properties. Thereafter, the second respondent has forwarded the petitioner's representation to the first respondent to complete the enquiry and submit status report to their office and also to the petitioner. However, till date, no order has been passed. Hence, the petitioner has filed the present Writ Petition for the relief stated supra.

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

4. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 and 2 to consider the petitioner's representation dated 15.09.2021 and pass orders on the same, within a particular time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1 and 2 has no objection for the 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 respondents 1 and 2 to consider the petitioner's representation dated 15.09.2021, and pass appropriate orders on merits and in



accordance with law, after affording an opportunity of hearing to the petitioner and the private respondents herein, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The Tahsildar,
Tahsildar Office,
Karimangalam,
Dharmapuri District.
2. The Survey Officers,
Periyanahalli Village,
Karimangalam Taluk,
Dharmapuri District.

+lcc to Mr.V.Sakkarapani, Advocate, S.R.No.29806
+lcc to the Government Pleader, S.R.No.31026

W.P.NO.11199 OF 2022

KJ(CO)
PBS/31/05/2022