



W.P.No.16099 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16099 of 2022

Mariappan

... Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Omalur, Salem – 7.

2.The Surveyor,
Omalur Firka,
Omalur, Salem District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to survey the property comprised in S.F.No.55/9A of Karukkalvadi Village, Salem District and fix boundary stones by considering the representation of the petitioner herein dated 10.02.2022 within a reasonable time as fixed by this Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This petition has been filed for issuance of Writ of Mandamus, to direct the respondents herein to survey the property comprised in S.F.No.55/9A of



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Karukkalvadi Village, Salem District and fix boundary stones by considering the representation of the petitioner herein dated 10.02.2022 within a reasonable time as fixed by this Court.

2. Mr.R.P.Murgan Raja, learned Government Advocate 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 and his brother acquired the property comprised in S.F.No.53/7D, 53/7C, 60/1, 53/7B and 55/9A at Karukkalvadi Village, Salem District through a registered settlement deed dated 19.11.2008. The petitioner requested the respondents to survey the property comprised in S.F.No.55/9A. In spite of repeated requests made by the petitioner, the respondents have not considered the same. Hence, the petitioner has made a representation dated 10.02.2022 before the respondents to survey the said property and he has also paid necessary charges through online on 10.02.2022. Though the respondents have received the said representation, they have not taken any steps to survey the said property. Hence, this petition.



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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 respondents to consider the petitioner's representation dated 10.02.2022 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Government Advocate appearing for the respondents 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 respondents to consider the petitioner's representation dated 10.02.2022 on merits and in accordance with law and shall survey and measure the property in terms of the Survey and Boundaries Act, 1923 and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs.

28.06.2022

Index : Yes/No
rsi



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M.DHANDAPANI, J.

rsi

To

- 1.The Tahsildar,
Office of the Tahsildar,
Omalur, Salem – 7.
- 2.The Surveyor,
Omalur Firka,
Omalur, Salem District.

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