

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.16002 of 2022

Haja Alawdeen

... Petitioner

Vs.

1. The District Collector,
Nagapattinam District,
Nagapattinam.

2. The Tahsildar,
Vedaranyam Taluk,
Nagapattinam District.

3. The Taluk Surveyor,
Vedaranyam Taluk,
Nagapattinam District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 31.03.2022 requesting the second respondent to survey and demarcating the land situate at Plot No.2453, Thethakudi South, Thopputhurai Village, Vedaranyam Taluk, Nagapattinam District comprised in Survey No.265/1A1A, (New survey No.265/1A1A1A) measuring an extent of 51 cents in accordance with law within time frame fixed by this Court.

For Petitioner : Mr.A.Arasu Ganesan

For Respondents : Mr.R.Vigneswaran
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 31.03.2022 requesting the second respondent to survey and demarcating the land situate at

Plot No.2453, Thethakudi South, Thopputhurai Village, Vedaranyam Taluk, Nagapattinam District comprised in Survey No.265/1A1A, (New survey No.265/1A1A1A) measuring an extent of 51 cents in accordance with law within time frame fixed by this Court.

2. The case of the petitioner is that the aforesaid property was purchased by the petitioner's father, through a registered Sale Deed, dated 18.02.1961, vide Document No.293 of 1961 on the file of Sub-Registrar Office, Vedaranyam. Subsequent to the purchase of the aforesaid property, the petitioner's father was in absolute possession, title and enjoyment of the same. Further, the joint patta was also issued by the Competent Authority in the name of the petitioner's father. After the demise of the petitioner's father, the petitioner and other legal heirs succeeded the said property. While so, some of the petitioner's neighbour tried to trespass and encroach the aforesaid property. Therefore, the petitioner made representation dated 31.03.2022 before the second respondent, seeking to survey and demarcate the aforesaid property. As the said representation made by the petitioner has evoked no response from the respondent, the petitioner has filed the present Writ Petition.

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 second respondent to consider the petitioner's representation dated 31.03.2022 and pass orders on the same within a particular time frame fixed by this Court.

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

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the second respondent to consider the petitioner's representation dated 31.03.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Deputy Registrar(CS)

// True Copy //

Sub Assistant Registrar

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To

1. The District Collector,
Nagapattinam District,
Nagapattinam.
2. The Tahsildar,
Vedaranyam Taluk,
Nagapattinam District.
3. The Taluk Surveyor,
Vedaranyam Taluk,
Nagapattinam District.

+lcc to Mr.A.Arasu Ganesan, Advocate SR.No.39912

W.P. No.16002 of 2022

CB(12/07/2022)