



W.P.No.31152 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.31152 of 2022

C.Subramani

... Petitioner

Vs.

The Tahsildar,
Office of the Tahsildar,
Pernambattu,
Vellore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the representation dated 18.02.2022 and survey the petitioner's land in S.No.272, in Balur Village, Pernambattu Taluk, Vellore District.

For Petitioner : Mr.M.Marimuthu

For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

The petitioner has filed this petition for issuance of Writ of Mandamus directing the respondent to consider the representation dated 18.02.2022 and

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survey the petitioner's land in S.No.272, in Balur Village, Pernambattu Taluk, Vellore District.

2. With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the property comprised in S.No.272 to an extent of 2.47 cents situated in Balur Village, Pernambattu Taluk, Vellore District was originally belonged to petitioner's grand father and after his demise, the said property was enjoyed by his legal heirs viz., Chinnaraj(petitioner's father), Dhanraj and Gunaseelan. Subsequently, the said Dhanraj and Gunaseelan settled their shares to petitioner's father through a settlement deed dated 22.07.1980 and 09.04.1980 respectively. Thereafter, the petitioner's father was in absolute possession and enjoyment of the said property. This being so, petitioner's neighbours viz., Shanmugam and Sekar had encroached the said land and started claiming ownership of the aforesaid land. Therefore, the petitioner made an online application for surveying the property and also paid necessary charges. He has also sent a representation



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dated 18.02.2022 to the respondent, however, till date, no order was passed.

Hence, this writ petition.

4. Learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the respondent to consider the petitioner's representation dated 18.02.2022 within a time frame that may be fixed by this Court.

5. Learned Additional Government Pleader appearing for the respondents would submit that he has no objection for the said direction being passed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 18.02.2022 and pass appropriate



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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.

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8. With the aforesaid direction, this writ petition is disposed of. No costs.

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vm

Index : Yes/No

Speaking Order : Yes/No

To:

The Tahsildar,
Office of the Tahsildar,
Pernambattu,
Vellore District.



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M.DHANDAPANI,J.

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