



W.P.No.25575 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.25575 of 2022

G.Annamalai

... Petitioner

Vs.

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai – 606 604.
- 2.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai – 606 604.
- 3.The Revenue Divisional Officer,
Tiruvannamalai Revenue Division,
Tiruvannamalai.
- 4.The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.
- 5.The Chief Land Surveyor,
Tahsildar Office,
Chengam,
Tiruvannamalai.
- 6.The Inspector of Police,
Melchengam Police Station,
Melchengam,

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Tiruvannamalai.

... Respondents

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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the fourth respondent to consider the petitioner's representation dated 09.05.2022 and to direct the fourth respondent to survey and mark the land in survey No.172/1 with an extent of 0.78 acres, Pakkiripalayam Village, Chengam Taluk, Tiruvannamalai District with police protection.

For Petitioner : Mr.K.Kathiresan

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

ORDER

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

2. The petitioner has filed this petition seeking direction to the fourth respondent to consider the petitioner's representation dated 09.05.2022 and to direct the fourth respondent to survey and mark the land in survey No.172/1 with an extent of 0.78 acres, Pakkiripalayam Village, Chengam Taluk,



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Tiruvannamalai District with police protection.

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3. The case of the petitioner is that the petitioner purchased a land comprised in Survey No.172/1, Ayan Punjai situated in Pakkiripalayam Village, Chengam Taluk, Tiruvannamalai District from Govindasamy Gounder and Rajamanickam. This being the case, one Mani has filed a declaration and permanent injunction suit in O.S.No.161/1997 before the Principal District Munsif Court, Chengam, Tiruvannamalai District and the same was dismissed on 28.02.2011. Challenging the order of dismissal, Mani has filed an appeal in A.S.No.15 of 2011 before the Principal Subordinate Court, Tiruvannamalai, which was also dismissed on 07.02.2012. Further, the said Mani has filed a Second Appeal in S.A.No.882 of 2013 before this Court and this Court by its order dated 27.09.2013, dismissed the Second Appeal. Thereafter, the petitioner has filed a writ petition in W.P.No.33519 of 2016 before this Court to issue change of patta in his name in regard to the Survey Nos.172/1, 172/3, 173/4, 173/5, 16/26 by considering his representation dated 14.07.2016 and this Court has directed to respondents to consider the said representation. At present, the petitioner and Mani hold Joint Patta in Patta No.799 in Survey No.172/1. Therefore, the petitioner



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made a representation dated 09.05.2022 before the respondents to survey the said land, however, till date, no order was passed. Hence, this writ petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the fourth respondent to consider the petitioner's representation dated 09.05.2022 and pass orders on merits within a particular time frame to be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents has no objection for said order being passed.

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

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs fourth respondent to consider the petitioner's representation dated 09.05.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of



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hearing to the petitioner as well as aggrieved persons if any, 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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Index : Yes/No

Speaking Order : Yes/No

To:

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Tiruvannamalai District,
Tiruvannamalai – 606 604.
- 2.The Superintendent of Police,
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Tiruvannamalai – 606 604.
- 3.The Revenue Divisional Officer,
Tiruvannamalai Revenue Division,
Tiruvannamalai.
- 4.The Tahsildar,
Chengam Taluk,
Tiruvannamalai District.
- 5.The Chief Land Surveyor,

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Tahsildar Office,
Chengam,
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6.The Inspector of Police,
Melchengam Police Station,
Melchengam,
Tiruvannamalai.

M.DHANDAPANI,J.

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