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W.P.No.26416 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.09.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.26416 of 2022

1. Prakash
2. Harishkumar
3. Tejaswin
4. Parameshwaran
5. Govindaraj
6. Tmt.Lakshmi

... Petitioners

Vs.

1. The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

2. The Special Tahsildar,
Backward Classes Welfare Department,
Hosur, Krishnagiri District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to survey the petitioner's land in S.No.544/1 in plot Nos. 90,92,93,94,95,96 situated at Avalapalli Village, Hosur Taluk, Krishnagiri District based on the applications dated 09.09.2022 and pass orders.

For Petitioners : Mr.V. Elangovan

For Respondents : Mr.N. Senthil Selvan
Government Advocate



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ORDER

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

2. This Writ Petition has been filed seeking for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner to demarcate his property by metes and bounds as requested in his representation dated 09.09.2022.

3. The case of the petitioners are that the petitioners are the owners of the subject property and they were in enjoyment and peaceful possession of the the subject property. The grievance of the petitioners is that the subject property had never been subdivided so as to enable the property to have a definite boundaries on four sides of the land and put to unnecessary difficulties to register the partition document and other necessary documents on petitioner's name separately. Therefore, the petitioners made a representation dated 09.09.2022 before the first respondent, but the same was not considered till date. Hence, the present writ petition.



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4. The learned counsel for the petitioners submitted that this Court may issue a direction to the first respondent to consider the petitioner's representation dated 09.09.2022 within the stipulated time as fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioners, this Court, without going into the merits of the case, directs the first respondent to consider the petitioners representation dated 09.09.2022 and take necessary steps to survey the land, on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioners as well as the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

29.09.2022

Index: Yes/ No

Internet: Yes/No

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M.DHANDAPANI,J.

smn

To

1. The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

2. The Special Tahsildar,
Backward Classes Welfare Department,
Hosur, Krishnagiri District.

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