



WEB COPY



W.P.No.26710 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26710 of 2022

R.Velusamy

... Petitioner

vs.

1. The District Collector,
Coimbatore District,
Coimbatore – 641 018.
2. The Revenue Tahsildar,
Perur Taluk,
Coimbatore District.
3. The Head Surveyor,
Perur,
Perur Taluk,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to conduct field survey and fix boundary stones in the lands in bearing S.Nos.105 and 106, Thenkarai Village, Perur Taluk, Coimbatore District and demarcate the petitioner's 10 feet passage on the northern end of S.No.105, by considering



W.P.No.26710 of 2022

his representation dated 22.08.2022.

WEB COPY

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents to conduct field survey and fix boundary stones in the properties bearing S.Nos.105 and 106, Thenkarai Village, Perur Taluk, Coimbatore District and demarcate the petitioner's 10 feet passage on the northern end of S.No.105, by considering his representation dated 22.08.2022.

2. It is the case of the petitioner that the petitioner's paternal uncle and his legal representatives sold the land in S.No.105 situated in Thenkarai Village, Perur Taluk, Coimbatore District in favour of one R.Arumugam by virtue of sale deed with specific recitals that 10 feet passage to be left for the usage of the petitioner's father to reach his land in S.No.107/1 situated in the above said Village. Subsequently, petitioner's father died and the property in S.No.107/1 was subdivided amicably between the petitioner and



W.P.No.26710 of 2022

his brother. As the 10 feet passage of the petitioner in S.No.105/1 was disturbed by the owner of S.No.105/1, the petitioner made a representation dated 22.08.2022 before the respondents 1 and 2, seeking to survey and demarcate the said pathway by fixing boundary stones for the lands in S.Nos.105 and 106. Since the same was not considered by the respondents 1 and 2, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel appearing on behalf of the petitioner submits that it would suffice if this Court issues direction to the second respondent to consider the petitioner's representation dated 22.08.2022 and pass appropriate orders on merits and in accordance with law within a particular time frame to be fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed.



W.P.No.26710 of 2022

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 22.08.2022 and pass appropriate orders on merits and in accordance with law after affording an opportunity of 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.

7. With the above observation and directions, this Writ Petition is disposed of. No costs.

10.10.2022

RAP

Index : Yes/No
Speaking order : Yes/No



W.P.No.26710 of 2022

To:

WEB COPY

1. The District Collector,
Coimbatore District,
Coimbatore – 641 018.
2. The Revenue Tahsildar,
Perur Taluk,
Coimbatore District.
3. The Head Surveyor,
Perur,
Perur Taluk,
Coimbatore District.



WEB COPY



W.P.No.26710 of 2022

M.DHANDAPANI, J.

RAP

W.P.No.26710 of 2022

10.10.2022