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W.P.No.27835 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.10.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.27835 of 2022

E. Sumathi

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Namakkal District.

2. The Tahsildar,
Thrickenkodu Taluk, Namakkal District.

3. The Head Surveyor,
Thrickenkodu Taluk, Namakkal District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the Respondent to act on the representation of the petitioner dated 24.09.2022 and conduct survey and fixation of the boundaries of the land situated at survey No.351/4, as per the Doc.No.1274 of 2022 belonging to the petitioner and pass orders.

For Petitioner : Mr.A. Rajakumar

For Respondents : Mr.U. Bharanidharan
Additional Government Pleader



W.P.No.27835 of 2022

WEB COPY

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 a direction to the respondents to consider the representation of the petitioner to demarcate his property by metes and bounds as requested in his representation dated 24.09.2022.

3. The case of the petitioner is that the petitioner became the absolute owner of the subject property by way of a settlement deed dated 22.04.2022 vide document No.1274 of 2022 before Velagoundambadi Sub Registrar Office. Thereafter the petitioner was in possession and enjoyment of the said property. The property was never sub-divided. Hence the petitioner made a representation dated 24.09.2022 along with documents before the respondents requesting to survey the land of the petitioner, but the same was not considered by the respondents. Hence this writ petition.



W.P.No.27835 of 2022

WEB COPY

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation dated 24.09.2022 within the stipulated time as fixed by this Court.

5. The learned Additional Government Pleader would submit that the petitioner's representation dated 24.09.2022 will be considered on merits and in accordance with law.

6. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 24.09.2022 and pass appropriate orders, on merits and in accordance with law, after issuing notice 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. No costs.



W.P.No.27835 of 2022

WEB COPY 7. With the aforesaid direction, this Writ Petition stands disposed of.

No costs.

19.10.2022

Index: Yes/ No

Internet: Yes/No

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To

1. The District Collector,
Office of the District Collector,
Namakkal District.
2. The Tahsildar,
Thrichenkodu Taluk, Namakkal District.
3. The Head Surveyor,
Thrichenkodu Taluk, Namakkal District.



WEB COPY



W.P.No.27835 of 2022

M.DHANDAPANI,J.

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W.P.No. 27835 of 2022

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