



WEB COPY



W.P.No.28384 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.10.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.28384 of 2022

C. Balasubramaniyan

... Petitioner

Vs.

1. The Tahsildar,
Salem West Taluk, Salem District
2. The Assistant Director (Survey & Land Records)
2nd Floor, Collectorate Building, Salem 636 001.
3. The Head Surveyor,
Office of the Salem West Taluk Office, Salem District.
4. The Surveyor (Land)
Tharamangalam Village,
Salem Taluk, Salem District
5. The Village Administrative Officer,
Tharamangalam Village,
Salem Taluk, Salem 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 consider petitioner's Application/Representation dated 15.03.2022 in order to measure the land to an extent of 4471 Sq.Ft, comprised in Survey No.102/6C and 4369 Sq.Ft of land situated at Maramangalathupatti Village, Salem Taluk, Salem District by furnishing the Survey Report thereby fixing



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boundaries within the stipulated time fixed by this Hon'ble Court and pass orders.

For Petitioner : Mr.N. Vijaya Baskar

For Respondents : Mr.U. Baranidharan
Additional Government Pleader

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 petitioner online application dated 15.03.2022 to demarcate his property by metes and bounds.

3. The case of the petitioner is that the petitioner purchased the subject property and he was in enjoyment and possession the property. The grievance of the petitioner is that the subject property has never been subdivided and boundaries of the subject property has not been marked. Therefore, the petitioner submitted a online application on 15.03.2022 before the second respondent, but the same was not considered till date. Hence, the present writ petition.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's online application on 13.06.2022 within the stipulated time as fixed by this Court.



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5. The learned Additional Government Pleader would submit that the petitioner's online application dated 15.03.2022 will be considered on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, direct the second respondent to consider the petitioner's online application dated 15.03.2022 and take necessary steps to survey the land, on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner 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.

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

27.10.2022

Index: Yes/ No

Internet: Yes/No

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M.DHANDAPANI,J.



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