



WEB COPY



W.P.No.29271 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29271 of 2022

Gowrishankar

... Petitioner

vs.

1. The District Collector,
O/o. the District Collector,
Tiruppur District.

2. The Tashildar,
O/o. the Tashildar,
Avinashi – Post & Taluk,
Tiruppur District.

3. The Assistant Director of Survey and Land Records,
O/o.the Assistant Director of Survey and Land Records,
Tiruppur – Post & District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent and the third respondent to conduct the survey and identify the boundaries of the petitioner's land situated in Survey No.263/2 (old survey No.263/Pa) to an extent of 350 sq.mt., Sembianallur Village, Avinashi – Taluk, Tiruppur – District as per patta dated 04.10.2021 based on the E-Challan



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No.20220502011044 dated 02.05.2022.

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For Petitioner : Mr.D.Veerasekharan

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the second and third respondents to conduct the survey and identify the boundaries of the petitioner's land situated in Survey No.263/2 (old survey No.263/Pa) to an extent of 350 sq.mt., Sembianallur Village, Avinashi – Taluk, Tiruppur – District as per patta dated 04.10.2021 based on the E-Challan No.20220502011044 dated 02.05.2022.

2. It is the case of the petitioner that the petitioner acquired the above said property from his father vide settlement Deed dated 02.11.2020. Based on the said document, the petitioner made applications dated 06.10.2022 and 02.05.2022 before the respondents to issue patta in his favour and to conduct survey, fix boundary stones in respect of his properties. Since the same was not considered by the respondents, the petitioner has filed the present Writ Petition seeking the aforesaid relief.



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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 and third respondents to consider the petitioner's representations dated 02.05.2022 and 06.10.2022 and pass appropriate orders 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.

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 and third respondents to consider the petitioner's representation dated 02.05.2022 and 06.10.2022 and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the



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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.

04.11.2022

RAP

Index : Yes/No

Speaking order : Yes/No

To:

1. The District Collector,
O/o. the District Collector,
Tiruppur District.
2. The Tashildar,
O/o. the Tashildar,
Avinashi – Post & Taluk,
Tiruppur District.
3. The Assistant Director of Survey and Land Records,
O/o.the Assistant Director of Survey and Land Records,
Tiruppur – Post & District.

M.DHANDAPANI, J.

RAP



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