



W.P.No.29646 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.29646 of 2022

Manjula

... Petitioner

Vs.

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

2.The Head Surveyor,
Taluk Office,
Hosur Taluk,
Krishnagiri District.

3.Nagaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st and 2nd respondents to survey the petitioner property comprised in S.No.21/2B1B, measuring to an extent of 33 cents situated at Karipasavanapuram Village, Hosur Taluk, Krishnagiri District and to fix the boundaries for fencing the property by considering the representation dated 22.10.2022 within the stipulated period.



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For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the 1st and 2nd respondents to survey the petitioner property comprised in S.No.21/2B1B, measuring to an extent of 33 cents situated at Karipasavanapuram Village, Hosur Taluk, Krishnagiri District and to fix the boundaries for fencing the property by considering the representation dated 22.10.2022 within the stipulated period.

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

3. Since, no adverse order has been passed against the third respondent, notice to the third respondent is dispensed with.



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4. The case of the petitioner is that the petitioner is the absolute owner of the property comprised in S.No.21/2B1B to an extent of 33 cents situated at Karipasavanapuram Village, Hosur Taluk, Krishnagiri District. In order to survey the subject property, the petitioner made an application before the first respondent and also paid necessary charges. This being the case, the third respondent threatened the petitioner for surveying the property. Therefore, the petitioner made a police complaint against the third respondent. Moreover, the first respondent has not taken any step to survey the subject property. Hence, the petitioner made a representation dated 22.10.2022 before the first and second respondents seeking for similar relief, however, till date, no order was passed. Hence, this writ petition.

5. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first and second respondents to consider the petitioner's representation dated 22.10.2022 and pass orders on merits within a particular time frame to be fixed by this Court.



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6. The learned Additional Government Pleader appearing for the respondents has no objection for said order being passed.

7. Heard the learned counsel on either side and perused the materials placed on record.

8. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the first and second respondents to consider the petitioner's representation dated 22.10.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the above observation and direction, this Writ Petition is disposed of. No costs.

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Speaking Order : Yes/No

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To:

- 1.The Tahsildar,
Taluk Office,
Hosur Taluk,
Krishnagiri District.
- 2.The Head Surveyor,
Taluk Office,
Hosur Taluk,
Krishnagiri District.



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