



W.P.No.31631 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.31631 of 2022

G.Venkatesh

. . . Petitioner

Vs.

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The District Revenue Officer,
Krishnagiri,
Krishnagiri District.
3. The Revenue Divisional Officer,
Hosur,
Krishnagiri District.
4. The Tahsildar,
Hosur Taluk,
Krishnagiri District.
5. The Surveyor,
Hosur Taluk,
Krishnagiri District.



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6. Village Administrative Officer,
Hosur Taluk,
Krishnagiri District.

7. Pethakullappa

8. Thirumallappa

. . . Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ, order or direction more particularly a writ in the nature of Writ of Mandamus directing the respondents to survey the petitioner land comprised in S.No.179/1 & 178 with an extent of 5 Acres, Thorappalli Agraharam Post, Hosur Taluk, Krishnagiri District by considering petitioner representation dated 15.11.2022.

For Petitioner : M/s.S.Nedunchezhiyan

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

ORDER

The present petition has been filed seeking a direction to the respondents to survey the petitioner land comprised in S.No.179/1 & 178 with an extent of 5 Acres situated at Thorappalli Agraharam Post, Hosur Taluk, Krishnagiri District pursuant to the representation dated 15.11.2022 made by the petitioner.



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2. Mr.U.Baranidharan, learned Additional Government Pleader takes notice for respondents.

3. Since, no adverse order is being passed against the private respondents, notice to respondents 7 & 8 is dispensed with.

4. It is the case of the petitioner that he is the absolute owner of subject property. The petitioner made a representation to the respondents seeking to survey his property, pursuant to which, when the 4th respondent came to survey the property, the 7th respondent and his brother 8th respondent have prevented the 4th respondent from surveying the property. In view of the said act of the private respondents, the petitioner filed a Crl.OP.No.23255 of 2022 before this Court seeking police protection, in which, the 2nd respondent was directed to give police protection at the time of surveying the said property. Subsequently, the petitioner was informed about the W.P.No.12600 of 2019 that came to be filed by the private respondents seeking patta in their favour in respect of the above said property, however, the same was disposed of directing the 2nd respondent to



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conduct enquiry within a period of twelve weeks. Thereafter, the petitioner made had also made the representation dated 15.11.2022 before the respondents, seeking to survey his property. However, till date, the respondents neither conducted the enquiry as per the order passed by this Court nor surveyed the petitioner's property. Hence, the present petition has been filed.

5. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to consider the representation dated 16.11.2022 made by the petitioner and pass appropriate orders on the same in accordance with law, within the time that may be stipulated by this Court.

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



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7. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 4th respondent/Tahsildar to consider the petitioner's representation dated 16.11.2022 seeking to survey his property and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the respondents 7 & 8, within a period of twelve weeks from the date of receipt of a copy of this order.

8. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

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Index : Yes / No

Internet : Yes / No

M.DHANDAPANI, J.



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