



WP.No.32028 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

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M.Balasubramaniam

...

Petitioner

Vs

1. The Tahsildar
Mettur Taluk, Salem District.

2. The Taluk Head Surveyor,
Mettur Taluk, Salem District.

3. The Inspector of Police,
Mecheri Police Station,
Mecheri, Salem District.

4. Ramu @ Murugan

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus direction to the 1st and 2nd respondents to measure the petitioner property as per the Patta No.370 with the help of 3rd respondent for fix the fencing based on the representation dated 06.04.2022.



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For Petitioner : Mr. B.Sundarapandian
For Respondents : Mr. U.Bharanidharan, AGP

ORDER

This writ petition is filed seeking direction to the 1st and 2nd respondents to measure the petitioner property as per the Patta No.370 with the help of 3rd respondent for fix the fencing based on the representation dated 06.04.2022.

2. The case of the petitioner is that the petitioner is the owner of the property in S.No.57 1A, 57 1F, 58 1B, 70 2B2, 70 6A1 and 70 7A measuring an extent of 1.47.50 hectares situated at Banapuram, Mettur Taluk, Salem District. The revenue records clearly shows that the property belong to the petitioner and his family members. The 4th respondent is no way connected with the petitioner's property, who is the adjacent land owner and he is trying to grab the petitioner's property. Hence, the petitioner has made a representation on 06.04.2022 to the first respondent for conducting survey and for fixing the boundaries in respect of the subject lands. However, the respondents have not considered the same so far. Without



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having no other option, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner submitted that this Court may issue a suitable direction to the first respondent to consider the petitioner's representation dated 06.04.2022 and pass appropriate orders within the time stipulated by this Court.

4. The learned Addl. Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 06.04.2022 will be considered and suitable orders will be passed on merits within the stipulated period as fixed by this Court.

5. Heard both sides and perused the materials available on records. Since no adverse orders are passed against the 4th respondent and therefore, the presence of the 4th respondent is dispensed with.

6. Considering the facts and circumstances of the case and the limited



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relief sought for by the petitioner, this Court, without going into the merits of the case, direct the first respondent to consider the petitioner's representation dated 06.04.2022 and take necessary steps to survey the land and pass appropriate orders on merits and in accordance with law, after providing opportunity to the petitioner as well as the 4th respondent, 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.

30.11.2022

Rli

Index:Yes/No

Internet:Yes/No

Speaking/Non speaking



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- To
1. The Tahsildar
Mettur Taluk, Salem District.
 2. The Taluk Head Surveyor,
Mettur Taluk, Salem District.
 3. The Inspector of Police,
Mecheri Police Station,
Mecheri, Salem District.



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M.DHANDAPANI, J.

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