



W.P. No.3073 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.3073 of 2023

Kandasamy

... Petitioner

Vs.

1.The Tahsildar,
Kadaiyampatty,
Salem District.

2.The Firka Surveyor,
Kadaiyampatty,
Salem District.

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

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to survey the land and fix boundary of his land measuring about 1.47 cents for the Survey Nos.51/9B1, 51/9B2, 51/10B, 51/10C, 51/12A1, 51/12A2 situated at Sikkanampatty Village, presently Kadaiyampatty Taluk, Salem District by obtaining necessary police protection.



W.P. No.3073 of 2023

For Petitioner : Mrs.S.Premakumari

For Respondents : Mr.R.P.Muruganraja
Government Advocate

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st and 2nd respondents to survey the land and fix boundary of his land measuring about 1.47 cents for the Survey Nos.51/9B1, 51/9B2, 51/10B, 51/10C, 51/12A1, 51/12A2 situated at Sikkanampatty Village, presently Kadayampatty Taluk, Salem District by obtaining necessary police protection.

2. In order to survey the lands of the petitioner at Survey Nos.51/9B1, 51/9B2, 51/10B, 51/10C, 51/12A1, 51/12A2 situated at Sikkanampatty Village, presently Kadayampatty Taluk, Salem District, the petitioner has given a representation on 06.01.2023 to the respondents especially the 1st and 2nd respondents.

3. However, the said application since has not been considered, the petitioner has moved the present writ petition.



W.P. No.3073 of 2023

4. Heard Mrs.S.Premakumari, learned counsel appearing for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents.

5. The learned Government Advocate for the respondents would submit that, though the representation has been given on 06.01.2023 i.e. very recently, no fee has been paid in this regard as prescribed, unless the fee is paid the application submitted by the petitioner cannot be considered, he contended.

6. I have considered the said submissions made by the learned counsel appearing for both sides especially the stand taken by the learned Government Advocate appearing for the respondents.

6. In view of the above, this Court is inclined to dispose of this writ petition with the following orders:

That the petitioner shall make the payment i.e. the fee payable by the petitioner for the proposed survey of the land within a period of two weeks from the date of receipt of a copy of this order and on receipt of such fee, the



W.P. No.3073 of 2023

WEB COPY

application of the petitioner dated 06.01.2023 shall be considered and needful shall be undertaken by the 1st and 2nd respondents by completing the survey within eight weeks thereafter.

7. With these directions, this Writ Petition is disposed of. No costs.

06.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl



W.P. No.3073 of 2023

To

- 1.The Tahsildar,
Kadaiyampatty,
Salem District.
- 2.The Firka Surveyor,
Kadaiyampatty,
Salem District.
- 3.The Inspector of Police,
Omalur Police Station,
Salem District.



WEB COPY



W.P. No.3073 of 2023

R.SURESH KUMAR, J.

Sgl

W.P.No.3073 of 2023

06.02.2023