



Writ Petition No.5755 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5755 of 2023

A.R.K.Varatharajan

... Petitioner

-Vs-

1. The State Rep. by
The District Collector,
Collectorate, Salem District.

2. The Revenue Divisional Officer,
Salem Zone, Suramangalam,
Salem District.

3. The Tahsildar,
Salem West Taluk Office,
Suramangalam & Post,
Salem District.

4. The Town Surveyor,
Survey Section,
Salem West Ward Office,
Suramanagalam Post,
Salem Municipal Corporation,
Salem District.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, direct the 4th respondent to survey and sub-divide my property to an extent of 17,000 sq.ft in



Writ Petition No.5755 of 2023

Survey No.245/8 in Jagir Ammapalayam Village, Salem West, Salem District and consequently issued a separate patta in favour of petitioner's property based on the petitioner's representation dated 31.12.2022 within the time prescribed by this Court.

For Petitioner : Mr.K.Karthik

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

The prayer sought for herein is for a writ mandamus directing the 4th respondent to survey and sub-divide the petitioner's property to an extent of 17,000 sq.ft in Survey No.245/8 in Jagir Ammapalayam Village, Salem West, Salem District and consequently issue a separate patta in favour of petitioner's property based on the petitioner's representation dated 31.12.2022 within the time prescribed by this Court.

2. In respect of property at S.No.245/8 situated at Jagir Ammapalayam Village, Salem West, Salem District, the petitioner had given a representation on 31.12.2022 to measure the land and to identify the boundaries and in order to consider the said representation and to do the needful the petitioner has moved the present writ petition with the aforesaid prayer.



Writ Petition No.5755 of 2023

3. Heard Mr.K.Karthick, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents.

4. Learned Additional Government Pleader appearing for the respondents would submit that, in fact, originally the land was acquired, subsequently the petitioner was able to succeed before this Court by getting a declaration under Section 24(2) of the 2013 Act, if that is the claim of the petitioner, the petitioner has right to seek for measuring the property in question, for which, he has made a representation on 31.12.2022 and he has to pay the necessary fee, then only the needful would be undertaken by the fourth and fifth respondents within a time frame that may be stipulated by this Court.

5. Considering the said submissions made by the learned Additional Government Pleader appearing for the respondents, this Court directs the fourth and fifth respondents to consider the representation of the petitioner dated 31.12.2022 on receipt of payment of fee from the petitioner and do the needful by completing the survey of the land in



Writ Petition No.5755 of 2023

question within a period of eight(8) weeks from the date of receipt of a
copy of this order.

With this direction, this writ petition is disposed of. No costs.

27.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

1. The District Collector,
Collectorate, Salem District.
2. The Revenue Divisional Officer,
Salem Zone, Suramangalam,
Salem District.
3. The Tahsildar,
Salem West Taluk Office,
Suramangalam & Post,
Salem District.
4. The Town Surveyor,
Survey Section,
Salem West Ward Office,
Suramanagalam Post,
Salem Municipal Corporation,
Salem District.



WEB COPY



Writ Petition No.5755 of 2023

R. SURESH KUMAR, J.
mp

Writ Petition No.5755 of 2023

27.02.2023