



W.P.No.5003 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.5003 of 2023 and
W.M.P.No.5038 of 2023

N.Ravintran

... Petitioner

Vs

1.The District Collector,
District Collector officer, Salem,
Tamil Nadu – 636 005.

2.The Revenue Divisional Officer,
Salem (East), Asthampatti,
Salem – 636 302.

3.The Tahsildar,
Salem (East),
Salem – 636 302.

4.The Surveyor,
Ammampatti,
Salem Corporation Zonal Office,
Ammampatti Zonal,
Salem – 636 003.

5.A.Saravanan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 02.02.2023 to survey and earmark the boundaries of the land of the petitioner situated in S.No.116/1B,



W.P.No.5003 of 2023

New S.No.111/4, Thaathampatti Village, Salem Taluk, Salem East Revenue Division to an extent of 8840-1/4 sq.ft. and in S.No.116/1B, New S.No.116/B2 & 116, Thaathampatti Village, Salem Taluk, Salem East Revenue Division to an extent of 6409 sq.ft. unhindered by any disturbance from anyone.

For Petitioner : Ms.S.Varsha
for Mr.V.P.K.Gowtham
For Respondents : Mr.R.P.Muruganraja
Government Advocate for R1 to R4

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the representation made by the petitioner on 02.02.2023 to survey and earmark the boundaries of the land of the petitioner situated in S.No.116/1B, New S.No.111/4, Thaathampatti Village, Salem Taluk, Salem East Revenue Division to an extent of 8840-1/4 sq.ft. and in S.No.116/1B, New S.No.116/B2 & 116, Thaathampatti Village, Salem Taluk, Salem East Revenue Division to an extent of 6409 sq.ft. unhindered by any disturbance from anyone.

2. In respect of the land at S.No.116/1B, New S.No.111/4 and S.No. 116/1B, New S.No.116/B2 & 116 situated at Thaathampatti Village, Salem Taluk, Salem East Revenue Division, it is the claim of the petitioner that it is an absolute property of the petitioner, as against which, even though the 5th



W.P.No.5003 of 2023

respondent filed a suit frivolously which was dismissed for default for long back, as against which, no steps have been taken by the 5th respondent despite that the 5th respondent is troubling the possession and enjoyment of the property, therefore in order to survey the land and to identify the four boundaries, the petitioner had given application on 02.02.2023 to the respondents and the petitioner claimed that, he has also paid the necessary fee to that effect, therefore in order to consider the said application and to do the needful by completing the survey within a time frame, the petitioner has moved the present writ petition with the aforestated prayer.

3. Heard Ms.S.Varsha, learned counsel appearing for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents. In view of the order going to be passed in this writ petition, notice to the 5th respondent is dispensed with.

4. The learned Government Advocate for the official respondents would submit that the said application submitted by the petitioner would be considered and needful would be undertaken by completing the survey within a time frame that may be stipulated by this Court.



W.P.No.5003 of 2023

WEB COPY 5. Considering the said stand taken by the learned Government Advocate for the official respondents, this Court directs the 3rd and 4th respondents to consider the application submitted by the petitioner dated 02.02.2023 and do the needful by completing the survey of course after giving notice to the 5th respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1.The District Collector,
District Collector officer, Salem,
Tamil Nadu – 636 005.

2.The Revenue Divisional Officer,
Salem (East), Asthampatti,
Salem – 636 302.



W.P.No.5003 of 2023

WEB COPY

3.The Tahsildar,
Salem (East),
Salem – 636 302.

4.The Surveyor,
Ammapatti,
Salem Corporation Zonal Office,
Ammapatti Zonal,
Salem – 636 003.



WEB COPY



W.P.No.5003 of 2023

R.SURESH KUMAR, J.

Sgl

W.P.No.5003 of 2023

21.02.2023