



WEB COPY

W.P.No.8052 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8052 of 2019

A.Samanan

... Petitioner

Vs.

1.The District Collector,
Vellore,
Vellore District.

2.The Tahsildhar,
Ambur Taluk,
Vellore District.

3.The Taluk Surveyor,
Ambur Taluk,
Vellore District.

4.Village Administrative Officer,
Vinamangalam Village,
Ambur Taluk,
Vellore District.

5.Lakshmi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the petitioners representation dated 01.10.2018 by measuring the house site property of the petitioner situated in Patta No.118, in Survey No.539/11 Vinamangalam Village, Ambatur Taluk, Vellore District.



For Petitioner : Mr.K.Sathishkumar
for Mr.M.Sathishkumar

For R1 to R4 : Mr.E.Sunda Ram,
Government Advocate

For R5 : Not ready in notice

ORDER

The relief sought for in the present Writ Petition is to direct the 3rd respondent to dispose of the representation submitted by the writ petitioner on 01.10.2018 to survey the subject property.

2. The learned Government Advocate appearing on behalf of the official respondents brought to the notice of this Court that the 5th respondent is raising an objection for conducting survey by the Government Surveyors. In the event of any such objections, the Government Surveyors cannot be in a position to conduct survey under the provisions of the Survey and Boundaries Act, 1923. In such circumstances, the parties are to be relegated to approach the competent Civil Court of law for the purpose of resolving their issues.



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3. The Writ Petition was filed in the year 2019 and four years lapsed.

On account of efflux of time, the relief as such sought for in the present writ petition to consider the representation lost its relevance. If at all the dispute has already been resolved, the petitioner is at liberty to submit a fresh application. In the event of existence of a dispute, the parties are at liberty to approach the Civil Court of law for the purpose of establishing their rights in the manner known to law.

4. With these observations, the Writ Petition stands disposed of.

No costs.

17.08.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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