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Writ Petition No.5794 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.5794 of 2023

Mrs.S.Alamelu

... Petitioner

-Vs-

1. The Tahsildar,
Tambaram Taluk,
Tambaram - 600 045.

2. G.Sekar

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the representation of the petitioner dated 13.02.2023 and to survey the petitioner land Survey No.135/1.

For Petitioner : Ms.G.Gayathri

For Respondents : Ms.Akila Rajendran
Government Advocate [R1]

ORDER

The prayer sought for herein is for a writ mandamus directing the 1st respondent to dispose of the representation of the petitioner dated 13.02.2023 and to survey the petitioner's land Survey No.135/1.



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2. The petitioner had given a representation/application on 13.02.2023 to survey his land at S.No.135/1 situated at Surathamman Koil Street, Peerankaranai Village, Tambaram Taluk, Chengalpattu District. However, the petitioner has chosen to come forward before this Court immediately and filed the present writ petition with the aforesaid prayer seeking mandamus to the first respondent Tahsildar to consider his application and survey his land at an early date.

3. Heard Ms.G.Gayathri, learned counsel appearing for the petitioner and Ms.Akila Rajendran, learned Government Advocate appearing for the first respondent

4. In view of the order going to be passed in this writ petition notice to the second respondent is hereby dispensed with.

5. Learned Government Advocate appearing for the first respondent would submit that the application itself is admittedly dated 13.02.2023 and on 21.02.2023, the petitioner has filed the present writ petition without giving a period of one week from the date of application



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and hence, this writ petition is a prematured one, as no reasonable time was given to the first respondent to examine the application and do the needful, at this juncture, the present writ petition itself is not maintainable, she contended.

6. I have considered the said submission of the learned Government Advocate appearing for the first respondent and I am of the view that the petitioner though rushed to the Court seeking a mandamus to the first respondent, the first respondent can be directed to consider the application of the petitioner and do the needful by taking his reasonable time depending upon the earlier applications, which have been filed under his jurisdiction to survey the land by various other land holders.

7. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the first respondent Tahsildar to take up the application submitted by the petitioner dated 13.02.2023 if it is in order and if the petitioner



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R. SURESH KUMAR, J.

mp

is eligible and entitled to, by giving notice to the petitioner as well as the second respondent, the needful should be undertaken by the first respondent Tahsildar by taking a reasonable time, which this Court is not inclined to fix.

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
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To

The Tahsildar,
Tambaram Taluk,
Tambaram - 600 045.

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