



WEB COPY



W.P.No.9480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.9480 of 2023

Rajammal

... Petitioner

Vs.

1. The District Collector,
Office of Collectorate,
Coimbatore District.
2. The Tahsildar,
Office of Tahsildar,
Pethanayakanpalayam Taluk,
Salem District.
3. The Head Surveyor,
Office of Tahsildar,
Pethanayakanpalayam Taluk,
Salem District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to act upon the petitioner's representation 03.05.2021 and reminder representation



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dated 21.09.2022 and survey and fix the boundaries stones for the petitioner's land viz. property land measuring to an total extent of about 6 acre 67 cents comprised in Survey Nos.348/1, 348/3 in Kariyakovilvalavu Village, Periyakalrayanmalai, Pethanayakanpalayam, Salem District.

For Petitioner : Mr.A.Rajkumar

For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation dated 03.05.2021 and reminder representation dated 21.09.2022, within a stipulated time.

2. Mr.P.Sathish, learned Additional Government Pleader, takes notice for the respondents. By consent of both sides counsel, this Writ Petition is taken up for passing orders at the stage of admission itself.



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3. It is averred in the writ petition that the petitioner is the absolute owner of the property, measuring an extent of about 6 acres 67 cents situated in Survey No.348/1 and 348/3 respectively in Kariyakovilvalavu Village, Periyakalrayanmalai, Pethanayakanpalayam, Salem District. The petitioner purchased it by way of registered sale deed dated 30.10.2017 vide document No.2918 of 2017 duly registered on the file of Salem East Sub Registrar Office.

4. The petitioner would submit that he approached the respondents requesting to measure his land and to fix the boundary stones, and also submitted a representation dated 03.05.2021 and paid necessary charges for the same.

5. According to the learned counsel for the petitioner, even after a lapse of about one year, the respondent Authorities have not taken appropriate steps for measurement of the said property. Therefore, the petitioner sent a reminder representation dated 21.09.2022, but the same was also not considered by the respondents. Therefore, the present Writ Petition has been filed for a direction to



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the respondents 2 and 3 to act upon the representation.

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6. Mr.P.Sathish, learned Additional Government Pleader, appearing on behalf of the respondents submitted that eight weeks time may be stipulated to the respondents to consider the request of the petitioner and for passing necessary orders.

7. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents 2 and 3 to consider the petitioner's representation dated 03.05.2021 and act on the petitioner's representation in accordance with law, within a period of eight (08) weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

28.03.2023

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To

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Office of Tahsildar,
Pethanayakanpalayam Taluk,
Salem District.
3. The Head Surveyor,
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J.NISHA BANU, J.,

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Order made in
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