



W.P.No.29625 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29625 of 2023

M.Eswaramoorthy

... Petitioner

versus

1.The District Collector,
Erode District Collectorate,
Erode - 638 001.

2.The Thasildar,
Modakurichi Tasildhar Office,
Modakurichi,
Erode - 638 104.

3.District Land Surveyor,
Erode District Collectorate Complex,
Erode - 638 001.

4.Taluk Asst.Surveyor,
Modakurichi Tasildhar Office,
Modakurichi,
Erode - 638 104.

.....Respondents



W.P.No.29625 of 2023

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 3rd and 4th respondents to survey the land measuring to an extent of 0.02.31 hectares comprised in Survey No.155/19 with Patta No.34 situated in Vilakethi "B" Village in Arachalur of Modakurichi Taluk in Erode District and verify and fix the boundaries and furnish a copy of the survey report to the petitioner within a time framed fixed by this Court.

For Petitioner : Mr.C.Vigneswaran
For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. By consent of both the parties the writ petition is taken up for final disposal at the admission stage, itself.

2. The petitioner seeks for a mandamus directing the third and fourth respondent to survey the land measuring to an extent of 0.02.31 hectares comprised in Survey No.155/19 with Patta No.34 situated in Vilakethi "B" Village in Arachalur of Modakurichi Taluk in Erode District and verify and fix the boundaries and furnish a copy of the survey report to the petitioner within a time framed fixed by this Court.

3. The learned counsel for the petitioner submitted that though



W.P.No.29625 of 2023

the petitioner has given the representation as early as on 30.04.2023 to the respondents and requested them to take action to survey the lands in the subject property, but there was no response from the respondents. The petitioner once again sent a reminder as early as on 30.08.2023, the respondents have not considered the same yet.

4. The learned Additional Government Pleader submitted that the third and fourth respondent may be directed to consider the petitioner's representation and decide the matter on merits and in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, respondents 3 and 4 are directed to consider the representation of the petitioner dated 30.04.2023 and pass orders on merits and in accordance with law, after giving notice to all the interested parties,



W.P.No.29625 of 2023

rival claimants and/or adjacent owners if any, within a period of three months from the date of receipt of a copy of this order.

6. With these observations, the Writ Petition is disposed of.

There shall be no order as to costs.

12.10.2023

Speaking/Non-speaking order

Index : Yes/No

Neutral Citation : Yes/No

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To

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2.The Thasildar,
Modakurichi Tasildhar Office,
Modakurichi, Erode - 638 104.

3.The District Land Surveyor,
Erode District Collectorate Complex,
Erode - 638 001.

4. The Taluk Assistant Surveyor,
Modakurichi Tasildhar Office,
Modakurichi, Erode - 638 104.

Pg.Nos.4/5



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W.P.No.29625 of 2023

P.VELMURUGAN, J.

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W.P.No.29625 of 2023

12.10.2023

Pg.Nos.5/5