



WEB COPY



W.P.No.31018 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2023

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31018 of 2023

and

W.M.P. No.30669 of 2023

Rajagopal

... Petitioner

Vs.

1. The Thasildar,
Ponnamallee,
Chennai.

2. The Taluk Sub Inspector of Survey,
Ponnamallee,
Chennai.

3. The Village administrative Officer,
Thiruverkadu,
Chennai.

4. Shilpa

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st Respondent to dispose of the representation filed by the 4th respondent dt. 15.5.2023 after giving sufficient opportunity to the petitioner and hearing him and considering his documents and thereafter survey the lands in Survey No.1/2B in Thiruverkadu Village and Plot No.9, S. No.91/1 in Veeraraghavapuram Village and after following the necessary guidelines as per law



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For Petitioner : Mr.R.Srinivas,
Senior Advocate
for Ms.Mythili Srinivas

For Respondents: Mr.S.J. Mohamed Sathik
Govt. Advocate for R1 to R3

ORDER

The case of the petitioner is that the petitioner owns six cents of land in Veeraghavapuram Village in Survey No.91/1. The 4th respondent claiming to be the owner of the lands in Tiruverkadu village had submitted a petition for surveying the property. Already an order has been passed to survey the property. According to the learned counsel for the petitioner, prior to that already a civil suit was filed by the 4th respondent which is now dismissed for default. When the suit itself is filed and it was dismissed, there was no question of any survey of the property. The learned counsel would submit that without even causing any enquiry and without hearing the petitioner, the matter is being proceeded with. Therefore, the petitioner has approached this Court.

2. Mr.S.J. Mohamed Sathik, learned Government Advocate, who is taking notice on behalf of the respondents would submit that if the petitioner has any grievance and if any representation is made by the petitioner along with



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supporting documents, the same will also be considered in accordance with law by the 1st respondent. The learned counsel appearing on behalf of the petitioner also agrees for the said course.

3. In view thereof, the writ petition is disposed of with the following directions :

i) the petitioner shall make a detailed representation to the 1st respondent within a period of one week from the date of receipt of a copy of this order.

ii) Upon receipt thereof the 1st respondent shall consider the issue by giving due opportunity to the petitioner as well as the 4th respondent and pass orders in accordance with law.

No costs. Consequently, connected miscellaneous petition is closed.

26.10.2023

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2/ssa



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To

1. The Thasildar,
Ponnammallee,
Chennai.

2. The Taluk Sub Inspector of Survey,
Ponnammallee,
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3. The Village administrative Officer,
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D.BHARATHA CHAKRAVARTHY, J.

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