



W.P.No.32402 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.32402 of 2023

V.Kutti

... Petitioner

versus

1.The Revenue Divisional Officer,
Sankagiri Taluk,
Salem District.

2.The Tahsildar,
Sankagiri Taluk,
Salem District.

3.Santhi

4.Chitra

5.Padma

.....Respondents

Writ Petition filed under Article 226 of Constitution of India,
to issue a Writ of Mandamus directing respondents 1 and 2 to conduct the
survey of the land comprised in S.No.61/1 measuring to an extent of 2 acres,
situated at Thappakuttai Village, Sankagiri Taluk, Salem District, furnish

Pg.Nos.1/6



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the copy of the survey report to the petitioner and correct the UDR (Updating Registry Scheme) based on the said survey report, on the representation dated 26.12.2022 submitted by the petitioner within a specific period of time to be stipulated by this Court.

For Petitioner : Mr.R.Murali

For Respondents : Mr.P.Gurunathan
Additional Government Pleader
for R1 and R2

ORDER

Mr.P.Gurunathan, learned Additional Government Pleader takes notice for respondents 1 and 2. Since no adverse order is being passed as against respondents 3 to 5, notice to those respondents is dispensed with.

2. This Writ Petition has been filed seeking for a mandamus directing respondents 1 and 2 to consider the representation of the petitioner dated 26.12.2022, wherein and whereby, he sought to conduct a survey in the land comprised in S.No.61/1 measuring an extent of 2 acres, situated at Thappakuttai Village, Sankagiri Taluk, Salem District and furnish a copy of

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the survey report to the petitioner and correct UDR based on the said survey report.

3. The learned counsel for the petitioner submitted that on 26.12.2022 the petitioner has given a representation to the first respondent to survey and rectify the wrong subdivisions of the subject land. While so, the second respondent vide notice dated 30.12.2022 directed the petitioner and respondents 3 to 5 to appear for enquiry on 22.02.2023. The petitioner has also appeared and submitted all necessary documents before the second respondent. Subsequently, the first respondent vide notice dated 13.09.2023 directed the petitioner, respondents 3 to 5, second respondent and other officials for enquiry on 09.10.2023, the petitioner has also appeared and submitted all necessary documents before the first respondent, however, neither the private respondents 3 to 5 nor the second respondent and officials appeared for enquiry. Though the official respondents have not taken any action so far, the petitioner is before this Court.

4. The learned Additional Government Pleader appearing for



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respondents 1 and 2 submitted that the second respondent may be directed to consider the representation of the petitioner and pass orders on merits 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, the second respondent is directed to consider the representation of the petitioner dated 26.12.2022, and pass orders, on merits and in accordance with law, after giving notice to all the interested parties, rival claimants and/or adjacent owners, including respondents 3 to 5 herein within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs

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Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

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To

- 1.The Revenue Divisional Officer,
Sankagiri Taluk,
Salem District.
- 2.The Tahsildar,
Sankagiri Taluk,
Salem District.

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WEB COPY



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P.VELMURUGAN, J.

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