



WEB COPY



W.P.No.35726 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.35726 of 2023

N.Vijaya Basker

... Petitioner

Vs.

1.The Tahsildar (Salem West),
Salem West Taluk Office,
Jagir Ammapalayam Main Road,
Sooramangalam, Salem – 636 005.

2.The Head Surveyor,
Pallapatti Circle,
Corporation Zonal Office,
Old Soormangalam,Salem – 636 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.10.2023 based on the petitioner's Application No.049/01/01/22-23/0000921 dated 23.05.2022 in order to measure his land to an extent of 14,300 Square feet (33.15 cents), comprised in Survey No.159/8B situated at Thalampallam Village, ChinneriVaiyakkadu, Pallapatty, Salem–636 009 by furnishing the Survey Report thereby fixing boundaries within a stipulated time.

For Petitioner : Mr.S.Anil Sandeep



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For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2023 based on the petitioner's Application No.049/01/01/22-23/0000921 dated 23.05.2022 in order to measure his land to an extent of 14,300 Square feet (33.15 cents), comprised in Survey No.159/8B situated at Thalampallam Village, ChinneriVaiyakkadu, Pallapatty, Salem-636 009.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. It is the contention of the learned counsel for the petitioner that the petitioner filed an application dated 23.05.2022 before the respondents to measure his land. He has also made representation dated 25.10.2023 based on the earlier application. Since there was no response from them till date, he filed the present writ petition.

4. Having regard to the submissions made by the learned counsel



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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, this Court directs the respondents to consider the petitioner's representation dated 25.10.2023 if it is otherwise in order, after giving notice to the petitioner, adjacent land owners of the four boundaries of the subject land and interested parties/other rival claimants if any, and conduct enquiry and survey in the manner known to law and pass appropriate orders on merits and in accordance with law. The abovesaid exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

5. With the abovesaid direction, The Writ Petition is disposed of.

There shall be no order as to costs.

22.12.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.

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