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W.P.No.304 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.304 of 2024

S.Jayaraman

... Petitioner

Versus

1.The Assistant Director,
Survey and Land Records,
Salem, Salem District.

2.The Tahsildhar,
Taluk office,
Omalur Taluk,Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents herein to Survey and demarcate the boundaries in the property situated in S.No.197/4, measuring 3 Acres and 98 Cents of Land, Pachanampatti Village, Omalur Taluk, Salem District based on the Petitioner representation dated 30.11.2023.

For Petitioner : Mr. W. Camyles Gandhi
For Respondents : Mr. R. Vigneshwaran
Government Advocate

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents herein to Survey and demarcate the boundaries in the property



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situated in S.No.197/4, measuring 3 Acres and 98 Cents of Land, Pachanampatti Village, Omalur Taluk, Salem District based on the Petitioner representation dated 30.11.2023.

2. The claim of the petitioner is that his property is situated in S.No. 197/4 measuring 3 Acres and 98 cents of land, Pachanampatti Village, Omalaur Taluk, Salem District. The petitioner has sold a portion of the said land to one Sengotuvel through a registered sale deed dated 18.11.2023 before the Sub Registrar, Omalur. After the said transaction, the petitioner has made representation dated 30.11.2023 along with E-Challan payment copy to the second respondent to survey and demarcate the said property. Since no action has been taken by the second respondent, the present writ petition is filed before this Court.

3. Mr. R. Vigneswaran, learned Government Advocate who takes notice for the respondents submitted that a direction may be issued to the second respondent to consider the petitioner's representation dated 30.11.2023.



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4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

5. Though this Court time and again is pressing the decision rendered by this Court, in ***D.Tulasi Vs. The District Revenue Officer, Dharmapuri and etc.***, in W.P.Nos.262 of 2018, batch, etc., dated 09.06.2023, and a Circular No.R1/2005632 /2022 dated 17.07.2023 issued by the Commissioner of Land Administration, to dispose of the application /revision/appeals/representation/petition, within the time, the respondents /Revenue authorities neither followed the directions of this Court, nor followed the Circular issued by the Commissioner of Land Administration.

6. Since the writ petition is filed only for issuance of a simple writ of mandamus to consider the petitioner's representation dated 30.11.2023, this Court without expressing any opinion with regard to the merits of the case, directs the second respondent to issue notice to the petitioner and the interested parties/rival claimants/objectors if any, as the case may be and conduct an enquiry in a manner known to law and dispose of the petitioner's representation dated 30.11.2023 on merits and in accordance with law. The



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said exercise shall be completed, within the time as stipulated in the said circular, from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of.

There shall be no order as to costs.

09.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

klt

To:

- 1.The Assistant Director, Survey and Land Records,
Salem, Salem District.
- 2.The Tahsildhar,
Taluk office, Omalur Taluk, Salem District.



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P. VELMURUGAN, J.

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