



W.P.No.915 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.915 of 2024

M.Palaniyappan

... Petitioner

versus

- 1.The District Collector,
Cuddalore District,
Collectorate Complex,
Cuddalore – 607 001.
- 2.The Block Development Officer,
Nallur Panchayat Union Office,
Nallur Post, Virudhachalam Taluk,
Cuddalore District – 606 302.
- 3.The Assistant Director of Survey and
Land Records,
Survey & Land Records Departments,
Collectorate Complex,
Cuddalore – 607 001.



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4.The Tahsildar,
Thittagudi Taluk Office,
Thittagudi – 606 106.

5.The Panchayat President,
Ganapathikurichi Village,
Kilamangalam Post,
Thittagudi Taluk,
Cuddalore District – 606 105.

.....Respondents

**[R5 Dismissed vide order of this Court
dated 18.01.2024 in W.P.No.915 of 2024]**

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct respondent 3 and 4 to survey the petitioner's land situated in Survey No.143/5A2 to an extent of 20 cents, Patta No.868 in Ganapathikurichi Village, Kilimangalam Mathura, Thittagudi Taluk, Pennadam Sub Registration District, Virudhachalam Registration District and Cuddalore District- 606 105 based on the fees paid to the 3rd respondent on 13.06.2023 by the petitioner through E-Challan Number 20230613008226 and consequently to consider the representation made through registered post on 11.09.2023 by the petitioner to the respondents.



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For Petitioner : Mr.R.Radha Pandian

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1, R3 and R4

Mrs.V.Yamunadevi
Special Government Pleader for R2

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus, to direct respondent 3 and 4 to survey the petitioner's land situated in Survey No.143/5A2, measuring an extent of 20 cents, Patta No.868 in Ganapathikurichi Village, Kilimangalam Mathura, Thittagudi Taluk, Pennadam Sub Registration District, Virudhachalam Registration District and Cuddalore District- 606 105, based on the fees paid to the third respondent on 13.06.2023 by the petitioner through E-Challan Number 20230613008226 and consequently, to consider the representation made through registered post on 11.09.2023 by the petitioner to the respondents.



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2. The learned Special Government Pleader appearing for the second respondent by referring to the counter affidavit submitted that pending writ petition, the respondents have already conducted survey in the subject property on 20.01.2024. The learned Special Government Pleader also drew attention of the Court to paragraph No.3 of the counter affidavit, which is extracted hereunder :

" 3. It is submitted that on receipt of the affidavit filed in the above writ petition, this respondent directed the Firka Surveyor of Pennadam to survey the land and to submit a report. Accordingly, the land in Survey No.143/5A2 of Ganapathikurichi Village was surveyed by the Firka Surveyor of Pennadam on 20.01.2024 in the presence of the Village Administrative Officer, Village Assistant, Technical Assistant (Rural Development) and the General Public of the Village. After survey, the Firka Surveyor submitted his report on 20.01.2024 stating that in the land in Survey No.143/5A2 –



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0.08.00 Ares (Patta No.868), which belong to Thiru M.Palaniappan, a road is being laid in the extent of 2.17 cents (00088 Sq.mts) by the Village Panchayat and this was informed to the Block Development Officer, Nallur."

The learned Special Government Pleader also submitted that the petitioner has also witnessed the same.

3. The learned counsel for the petitioner submitted that even though survey has been conducted on 20.01.2024, the respondents have not passed final orders till date.

4. It is seen from the above extract that survey has already been conducted. Hence, respondents 3 and 4 are directed to pass final orders as per their survey report. If at all the petitioner is aggrieved by the order



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passed by respondents 3 and 4, he is at liberty to work out his remedy in the manner known to law.

5. With the above directions, the writ petition is disposed of. There shall be no order as to costs.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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