



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.2203 of 2024

K.Kumaran

... Petitioner

Vs.

1. The District Collector
Tirupur District, Tirupur

2. The Tahsildar
South Taluk Office
Tirupur District

3. The Head Surveyor
Taluk Office, Tirupur District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 2 and 3 to carry out the appropriate survey and demarcate the boundaries of the petitioner's land in Survey No.103/1B1A1A1 to the extent of 916.83 Square Meter, which is situated in Nallur Village, Tirupur South Taluk, Tirupur District and consequently produce the same survey report to the petitioner as per law based on the petitioner's survey payment Challan Application Vide:20231127004504 dated 27.11.2023, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.Arun

For Respondents : Mr.R.Vigneshwaran
Government Advocate



ORDER

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This Writ Petition is filed seeking a Writ of Mandamus directing the respondents 2 and 3 to carry out the appropriate survey and demarcate the boundaries of the petitioner's land in Survey No.103/1B1A1A1 to the extent of 916.83 Square Meter, which is situated in Nallur Village, Tirupur South Taluk, Tirupur District and consequently produce the same survey report to the petitioner as per law based on the petitioner's survey payment Challan Application Vide:20231127004504 dated 27.11.2023, within a stipulated time that may be fixed by this Court.

2. The learned counsel for the petitioner submitted that it would suffice if a direction is issued to the respondents to consider the petitioner's application dated 27.11.2023 within a stipulated time as may be fixed by this Court.

3. Mr.R.Vigneshwaran, learned Government Advocate takes notice for the respondents.

4. It is to be noted that this Court, in W.P.No.262 of 2018 (D.Tulasi vs.



The District Revenue Officer, Dharmapuri etc. and batch), by order dated 09.06.2023, directed the Department to issue circular in regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a circular No.R1/2005632/2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters have to be disposed of has been fixed in the circular and inspite of the same, the Departments are not following either the order of this Court or the circular.

5. In this case, the date of e-Challan is made on 27.11.2023. Since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's application, this Court without expressing any opinion with regard to the merits of the case, directs the respondents to consider the petitioner's application dated 27.11.2023 if already not considered and issue notice to the petitioner, the adjacent land owners of the four boundaries of the subject property and also to the rival claimants/interested parties/objectors if any as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, within the stipulated period



as mentioned in the circular.

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6. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

01.02.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The District Collector
Tirupur District
Tirupur
2. The Tahsildar
South Taluk Office
Tirupur District
3. The Head Surveyor
Taluk Office
Tirupur District



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W.P. No.2203 of 2024



P.VELMURUGAN. J.

Ksa-2

W.P. No.2203 of 2024

01.02.2024