



W.P.No.4061 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.4061 of 2024

Amsa

... Petitioner

Vs.

1. The Tahsildar,
Office of the Tahsildar,
Poonamalle,
Tiruvallur District.

2. The Land Surveyor,
Poonamallee,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to measure the land situated at survey No.572/7 in Kavalcheri Village Poonamallee Tiruvallur District and new survey No.572/6 Kavalcheri Village, Poonamallee Taluk, Tiruvallur District and earmark the boundaries by considering the petitioner representation dated 03.11.2023.



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For Petitioner : Mr.M.Mariappan

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the respondents to measure the land situated at survey No.572/7 in Kavalcheri Village, Poonamallee, Tiruvallur District and new survey No.572/6 Kavalcheri Village, Poonamallee Taluk, Tiruvallur District and earmark the boundaries by considering the petitioner representation dated 03.11.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents and perused the materials available on record.

3. It is the contention of the learned counsel for the petitioner that the petitioner made application before the first respondent on 03.11.2023



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to measure/survey her land and also paid requisite fees through E-challan. Since the first respondent has not considered the petitioner's application so far, the petitioner is constrained to file the present writ petition.

4. It is submitted by the learned Additional Government Pleader appearing for the respondents that the application has to be made through online. However, the respondents have not intimated the same to the petitioner. The respondents kept quiet for more than three months and only when the petitioner approached the Court, informed that the petitioner has to make application through online. This Court does not know what prevented the respondents to intimate the same to the parties, when they receive the application manually.

5. Having regard to the submissions made by the learned counsel on either side and 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 petitioner to make application



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through online to the respondents. On receipt of the same, the respondents are directed to issue notice to the petitioner, interested parties/rival claimants/ adjacent land owners of the four boundaries of the subject land as the case may be, and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, if the petitioner is otherwise entitled. The abovesaid exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

6. If any person makes an application before the officials through postal or manually, the respondents/officials shall immediately intimate the mode of application to the said person and make them to apply through online. Only when the person approaches the Court, inform that the application has to be made through online. The respondents officials should not keep the application pending for years together without intimating the mode of application, to the person.

7. The Government is directed to effect paper publication/



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Media/ Newspaper with regard to mode of application through online, within a period of one month. Until they make publication, the officials shall not reject the representation which was submitted before them manually.

8. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

21.02.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Tahsildar,
Office of the Tahsildar,
Poonamalle,
Tiruvallur District.
2. The Land Surveyor,
Poonamallee,
Tiruvallur District.



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P.VELMURUGAN, J.

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