



WEB COPY

W.P. No.4740 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4740 of 2024

Chinnathambi

... Petitioner

Vs.

1. The District Collector
Office of Collectorate
Salem

2. The Tahsildar
Office of Tahsildar
Pethanaicken Palayam Taluk
Salem District

3. The Head Surveyor
Office of Tahsildar
Pethanaicken Palayam Taluk
Salem District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the 2nd and 3rd respondent to measure the petitioner's land viz. properties in Survey Nos.338/1 and 338/2A to an extent of about 96 cents in Chinnakalrayan Malai, Therkunaadu Village, Kaikanvalavu, Pethanakayacken Palayam, Sakem District by disposing of the petitioner's representation dated 25.01.2023 within a time to be stipulated by this Court.



For Petitioner : Mr.M.Sudhan

For Respondents : T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the 2nd and 3rd respondent to measure the petitioner's land viz. properties in Survey Nos.338/1 and 338/2A to an extent of about 96 cents in Chinnakalrayan Malai, Therkunaadu Village, Kaikanvalavu, Pethanakayacken Palaym, Sakem District by disposing of the petitioner's representation dated 25.01.2023 within a time to be stipulated by this Court.

2. The learned counsel for the petitioner submitted that the petitioner made a representation dated 25.01.2023 to the 2nd respondent to survey his land and he had also paid requisite fees through e-challan. However, the authorities have not taken any steps to survey his land. Hence, the present Writ Petition is filed.

3. Mr.T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents.



4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's representation to survey his land, this Court without expressing any opinion with regard to the merits of the case, directs the respondent concerned to consider the petitioner's representation dated 25.01.2023 and issue notice to the petitioner and to the adjacent land owners of the four boundaries of the subject property and also to the interested parties/rival claimants/objectors if any, as the case may and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

27.02.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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To

1. The District Collector
Office of Collectorate
Salem

2. The Tahsildar
Office of Tahsildar
Pethanaicken Palayam Taluk
Salem District

3. The Head Surveyor
Office of Tahsildar
Pethanaicken Palayam Taluk
Salem District



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P.VELMURUGAN. J.

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