



W.P. No.5594 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5594 of 2024

R.Kumuthavalli

... Petitioner

Vs.

1. The Tahsildar

Tahsildar Office

The Collectorate

Omalur- 636 455

Salem

2. The Principal Surveyor

Survey Department

Tahsildar Office

Omalur- 636 455

Salem District

3. The Village Administrative Officer

Tharamangalam Post

Omalur

Salem - 636 455

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to survey



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and measure the petitioner property and to fix four boundaries in petitioner's property bearing Old Survey No.171/2, measuring to an extent of 257 1/4 sq.ft. comprised in New Survey No.334/1 situated at Tharamangalam Village, Salem District and within the Sub Registration District of Tharamangalam as per petitioner's representation dated 29.12.2023 within a time frame as may be fixed by this Court.

For Petitioner : Mr.U.Gowri Shankar

For Respondents : Mr.T.Arun Kumar

Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to survey and measure the petitioner property and to fix four boundaries in petitioner's property bearing Old Survey No.171/2, measuring to an extent of 257 1/4 sq.ft. comprised in New Survey No.334/1, situated at Tharamangalam Village, Salem District and within the Sub Registration District of Tharamangalam, as per petitioner's representation dated 29.12.2023, within a time frame as may be fixed by this Court.



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2. The case of the petitioner is that she made an application to survey her land and also paid the requisite fee through e-challan on 12.10.2023. Since the 1st respondent had not chosen to survey the land, she also made a representation dated 29.12.2023. However, so far, the 1st respondent has not taken any steps to conduct the survey. Therefore, 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 the Writ Petition is filed seeking a simple Writ of Mandamus to direct the respondents to consider the petitioner's application/representation, this Court without expressing any opinion with regard to the merits of the case, directs the 1st respondent to consider the petitioner's application/representation and issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property,



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interested parties/rival claimant/objectors if any, as the case may be and conduct enquiry in the manner known to law and after giving opportunity of hearing to all the parties, pass orders on merits and in accordance with law within the stipulated time as prescribed in the circular No.R1/2005632/2022 dated 17.07.2023 issued by the Commissioner of Land Administration, 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.

05.03.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

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To

1. The Tahsildar
Tahsildar Office
The Collectorate
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Salem
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P.VELMURUGAN. J.

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