



W.P. No.7427 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7427 of 2024

Nandhini

... Petitioner

Vs.

1. The District Collector

Tiruchengode Road, Namakkal District

2. The Tahsildar

Office of Tahsildar, Tiruchengode, Namakkal

3. The Surveyor

Tiruchengode, Nakammal

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents herein to survey and fix the boundaries of the petitioner's land situate at Velangaundampatti, Tiruchengode Taluk, Maavureddipatti Village, Namakkal District comprised in S.No.170/2 measuring an extent of 5.04 Acres, having Patta No.1234 by considering the petitioner's representation dated 06.02.2024, within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.T.Arun Kumar

Additional Government Pleader



W.P. No.7427 of 2024

ORDER

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This Writ Petition is filed seeking to issue a Writ of Mandamus to direct the respondents herein to survey and fix the boundaries of the petitioner's land situate at Velangaundampatti, Tiruchengode Taluk, Maavureddipatti Village, Namakkal District comprised in S.No.170/2 measuring an extent of 5.04 Acres, having Patta No.1234 by considering the petitioner's representation dated 06.02.2024, within the time frame as may be fixed by this Court.

2. The learned counsel for the petitioner submitted that the petitioner made an application through online on 04.03.2022 and also paid the requisite fee through e-challan. However, the respondents did not conduct the survey. Therefore, he made a representation on 06.02.2024. Even thereafter, they have not conducted the survey. The official respondents are bound to exercise their duty. Since they have not exercised their duty, the petitioner has filed the present Writ Petition seeking a direction to the respondents.



W.P. No.7427 of 2024

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 survey the land and fix boundaries, this Court without expressing any opinion with regard to the merits of the case, directs the 2nd respondent to consider the petitioner's online application dated 04.03.2022 and the subsequent representation dated 06.02.2024 and issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property, interested parties/rival claimants/objectors/aggrieved parties if any, as the case may be and conduct enquiry in the manner known to law if already not conducted and pass orders on merits and in accordance with law, if already not passed orders. After conducting enquiry, if the 2nd respondent comes to the conclusion that the petitioner is otherwise entitled/eligible and there is no other legal impediment, conduct survey in the subject land with the help of 3rd respondent and fix boundaries if



W.P. No.7427 of 2024

already not fixed. The said exercise shall be completed within a period of

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six weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of at the admission stage itself. No costs.

21.03.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



W.P. No.7427 of 2024

To

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Namakkal District

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W.P. No.7427 of 2024

P.VELMURUGAN. J.

Ksa-2

W.P. No.7427 of 2024

21.03.2024