



WEB COPY



WP.No.12043 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.12043 of 2024 & WMP.No.13146 of 2024

V.Vellaiyan

.. Petitioner

Versus

1. The District Collector of Kallakurichi,
Collectorate, Kallakurichi – 606 202.
 2. The Revenue Divisional officer,
Kallakurichi – 606 202.
 3. The Assistant Director of Survey and Land Records,
Kallakurichi.
 4. The Revenue Tahsildar,
Kalvarayan Hills Taluk – 606 202, Kallakurichi District.
 5. The Village Administrative Officer,
Kalvarayan Hills Taluk – 606 202, Kallakurichi District.
 6. Chinnasamy
 7. Chellammal
 8. Palaniammal
- [R6 to R8 impleaded as per the Order of this Court
dated 18.06.2024 made in WMP.No.17477 of
2024 in W.P.No.12043 of 2024]

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the fourth respondent consider



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the petitioner's application No.2024/0123/33/000507 dated 26.02.2024 to survey the petitioner's lands measuring 1.38.5 Hectares, comprised in Survey No.157/1D, bounded on the North by - Thoradipattu Road, South by – Odai, East by : Sadayan Lands and the West by : the lands belonging to Andi, situated in Mundiur Village limits, Kalvarayan Hills Taluk, Kallakurichi District.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mr.G.Ameedius
Government Advocate – R1 to R5

R6 and R7 – deceased
R8 – No appearance

ORDER

This Writ Petition is filed to direct the the fourth respondent consider the petitioner's application No.2024/0123/33/000507 dated 26.02.2024 to survey the petitioner's lands measuring 1.38.5 Hectares, comprised in Survey No.157/1D, bounded on the North by - Thoradipattu Road, South by – Odai, East by : Sadayan Lands and the West by : the lands belonging to Andi, situated in Mundiur Village limits, Kalvarayan Hills Taluk, Kallakurichi District.



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2. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent and the Additional Public Prosecutor appearing for the respondents 1 to 5 and perused the materials available on record. Despite service of notice and name printed in the cause list, none appeared for the eighth respondent.

3. The case of the petitioner is that his father enjoyed 1.38.5 hectares in Survey No.157/1 ancestrally and he has also purchased 1.38.5 hectares comprised in Survey No.157/1. Due to enmity, third parties filed a suit in O.S.No.1203 of 2009 on the file of the District Munsif, Sankarapuram against the petitioner's father for declaration and the said suit has been dismissed by a judgment and decree dated 29.04.2024. The grievance of the petitioner is that though he has given an application to the third respondent to survey his land by paying requisite fee, the same has not been considered till date. Hence, the present Writ Petition.

4. Considering the limited relief sought for in this writ petition, the fourth respondent is directed to consider the application of the petitioner dated 26.02.2024 and pass appropriate orders on the same, after giving notice to the



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eight respondent and neighbouring land owners and any other interested persons, within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

23.07.2024

vrc

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

1. The District Collector of Kallakurichi,
Collectorate, Kallakurichi – 606 202.
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N. SATHISH KUMAR, J.

vrc

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