



W.P.No.11591 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.11591 of 2019

A.Anandhi

... Petitioner

Vs.

- 1.The District Collector,
Salem.
- 2.The Commissioner of Police,
Salem City.
- 3.The Assistant Director of Survey,
Salem.
- 4.The District Registrar (West),
Salem.
- 5.The Tahsildar,
Salem.
- 6.S.Ramanujam
- 7.R.Kannan
- 8.M.Jeyaraman
- 9.J.Saravanan



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10.K.Anna Kamu

11.N.Krishnamurthy

12.R.A.Viswanathan

13.M.Masilamani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the third respondent to survey the property in Survey Nos.200/2 and 200/4 at Kannankurichi Village, Salem Taluk and Salem District, by considering the petitioner payment challan and representation dated 11.03.2019 respectively.

For Petitioner	: Mr.R.Marudhachalamurthy
For Respondents	:
For R1 to R5	: M/s.M.Jayanthy Additional Government Pleader
For R6, R7, R10 to R12	: No Appearance
For R8, R9 and R13	: steps due

ORDER

This Writ Petition has been filed seeking for issuance of a mandamus, to direct the third respondent to survey the property in Survey Nos.200/2 and



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200/4 at Kannankurichi Village, Salem Taluk and Salem District, by considering the petitioner payment challan and representation dated 11.03.2019 respectively.

2. The case of the petitioner is that the subject matter property in S.F.No.200/4, measuring to an extent of 1158 sq.ft., at Kannankurichi Village, Salem District was purchased by the petitioner from the eighth and ninth respondents by virtue of a Sale Deed dated 29.10.2010 bearing Doc.No.5205/2010. At the time of purchasing, the sixth, seventh, tenth to thirteenth respondents have also involved in the transactions. Later, the eighth and ninth respondents have informed the petitioner that the Survey Number had been wrongly mentioned in the Sale Deed and the correct Survey Number is 200/2. In view of the above, Rectification Deed was executed through Doc.No.790/2012 dated 02.03.2013. After purchasing the property, the petitioner wanted to develop the property, thereby approached the Survey Department and made a request to survey and fix the boundaries of his property in S.F.Nos.200/2 and 200/4. The petitioner has also paid necessary charges for measurement of the above said Survey Numbers through Challan dated 11.03.2019. On the same date i.e., on 11.03.2019, the petitioner sent a detailed



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representation to the official respondents for want of appropriate action regarding survey of the land. Even though his representation has been duly communicated to the official respondents, they have not take any steps in this regard. Hence the writ petition.

3. Learned counsel appearing for the petitioner submitted that the petitioner has given representation dated 11.03.2019 to the official respondents and the same is not disposed of till date.

4. In view of the above submission made by the learned counsel appearing for the petitioner, the third respondent the Assistant Director of Survey, Salem District is directed to consider the representation dated 11.03.2019 of the petitioner, after giving notice to both parties, opportunity of personal hearing, to consider the documents submitted by both parties, on merits, in accordance with law and pass appropriate orders by observing the above principles of natural justice, within a period of three months from the date of receipt of a copy of this order.



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10.07.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

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To

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