



W.P. No.12550 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

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Palanisamy

... Petitioner

Vs

1.The District Collector
O/o.the District Collector
Erode District

2.The Tashildar
O/o.the Tashildar
Nambiyur Post & Taluk
Erode District

3.The Head Surveyor
Nambiyur Taluk Office
Nambiyur Post & Taluk
Erode Post & District

4.Moorthy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd and 3rd respondent to conduct survey and identify of the boundaries with sub division of patta of petitioner's property to an extent of 2.25 Acre situated in Re-survey No.208/1,



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208/2, 208/3, 209/4 and 209/5, Kadathur Village, Nambiyur Taluk, Erode District based on the sale certificate in E.P. No.137 of 2008 in O.S. No.49 of 2006 of Sub Court, Gobichettipalayam and based on the representation dated 03.12.2022.

For Petitioner : Mr.D.Veerasekaran

For Respondent : Mr.P.Sathish
Addl. Govt. Pleader for R1 to R3
Mr.D.Raghu for R4

ORDER

The petitioner herein seeks a direction to respondents 2 and 3 to conduct survey and identify the boundaries of petitioner's property in Re-survey Nos.208/1, 208/2, 208/3, 209/4 and 209/5, Kadathur Village, Nambiyur Taluk, Erode District, by considering his representation dated 03.12.2022.

2. According to the writ petitioner, he purchased the above mentioned land under a sale deed dated 29.06.2022 from one Nachimuthu Goundar. The vendor of the petitioner purchased the same in court auction sale in E.P. No.137 of 2008. It is asserted by the petitioner that he has been in possession and enjoyment of the property and he submitted his representation dated 03.12.2022



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seeking survey of the land and the same has not been considered. It is also stated by the petitioner that he has submitted an on-line application 26.06.2024 seeking survey of the above mentioned land based on the patta.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the application submitted by the petitioner through on-line on 26.06.2024 will be considered on its own merits after issuing necessary notice to the opposing party, namely the fourth respondent and the petitioner.

4. Heard both sides and perused the materials available on record in the form of typed set of papers.

5. Considering the limited scope of the prayer, this court, without going into the merits of the claim of the petitioner, is inclined to direct the second respondent to consider the on-line application of the petitioner dated 26.06.2024 and pass final orders within a period of eight weeks from the date of receipt of a copy of this order on its own merits, after issuing necessary notice to the petitioner as well as the fourth respondent.



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6. With the above direction, the writ petition is disposed of. However,
there is no order as to costs.

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Index : Yes / No
Neutral Citation : Yes / No
Asr

To

1.The District Collector
O/o.the District Collector
Erode District

2.The Tashildar
O/o.the Tashildar
Nambiyur Post & Taluk
Erode District

3.The Head Surveyor
Nambiyur Taluk Office
Nambiyur Post & Taluk
Erode Post & District

4.The Government Pleader
High Court, Madras



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S.SOUNTHAR, J.

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