



WEB COPY



W.P.No.27193 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.27193 of 2024

Ramachandran

...Petitioner

Vs.

1. The District Superintendent of Police,
Salem District, Salem.
2. The Tahsildar,
Mettur Taluk, Salem District.
3. The Inspector of Police,
Mecheri Police Station,
Salem District.
4. Mohan Kumar,
5. Mahalingam
6. Kumar
7. Senthil
8. Silambarasan
9. Suresh
10. Ramesh
11. Rathinam @ Rathinammal

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to survey & point out the field boundaries of the petitioner's property compressed in survey numbers 11/2C & 11/3 at M.Kalipatty Village, Mettur Taluk, Salem District to



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an extent of 1.40 Acres by fixing stones, issue separate patta in petitioner's favour with police aid at the time of survey and setting up the fencing to the petitioner's above said property in pursuance of petitioner's representation dated 12.08.2024.

For Petitioner : M/s. R.Pandimeena
for Mr.C.Deepakkumar
For R1 & R3 : Mr.S.Sugendran
Additional Public Prosecutor
For R2 : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to survey the property comprised in survey numbers 11/2C & 11/3 with an extent of 1.40 Acres situated at M.Kalipatty Village, Mettur Taluk, Salem District, fix boundaries and issue patta in his favour, by considering his representation dated 12.08.2024.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 3, this writ petition is disposed of at the admission stage itself.



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3. It is the case of the petitioner that the above mentioned property was purchased by the petitioner and his brother Rajagopal from one Raththinammal under registered sale deed bearing document No.2618 of 2023 on the file of SRO, Mecheri, Salem District. The petitioner submitted an application seeking sub division of the property and issuance of patta in his name and the same has not been considered. Therefore, the petitioner made a representation to the second respondent on 12.08.2024 seeking survey of the land, fixing boundaries and issuance of patta in respect of the said property and the same has not been considered till date. Therefore, the petitioner is before this Court.

4. Mr.P.Sathish, learned Additional Government Pleader, who takes notice for the second respondent would submit that the representation of the petitioner will be considered on its own merits and appropriate orders will be passed after paying necessary charges by the petitioner to survey the property.

5. In view of the above submission made by the learned Additional Government Pleader, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 12.08.2024 and pass final orders, after issuing notice to the petitioner as well as the respondents 4 to 11



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and any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order. In the mean while, the petitioner is directed to pay the necessary charges for survey of the subject property, if not paid earlier.

6. With the above direction, this Writ Petition is disposed of. No costs.

20.09.2024

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

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To

1. The District Superintendent of Police,
Salem District, Salem.



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2. The Tahsildar,
Mettur Taluk, Salem District.

3. The Inspector of Police,
Mecheri Police Station,
Salem District.

S. SOUNTHAR, J.

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