



WEB COPY

W.P.No.26936 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.26936 of 2024

Dhasarathan

...Petitioner

Vs.

1. The Tahsildar,
Tahsildar Offices,
Ambur Taluk,
Tirupattur District.
2. The Surveyor Officer,
Tahsildar Offices, Ambur Taluk,
Tirupattur District.
3. Kasi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to conduct spot inspection with a surveyor to measure the property in S.No.204/2 and 204/4 in Palur Village, Ambur Taluk, Tirupattur District, demarcate the same as per the Judgment and Decree dated 22.03.2021 in A.S.No.78 of 2016 by the Subordinate Judge, Vaniyambadi, after giving notice to third respondent, within a time frame to be fixed by this Court.

For Petitioner : Mr. K.Ashok Kumar

For R1 & R2 : Mr.D.Gopal
Government Advocate



ORDER

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The petitioner herein seeks a direction to the respondents 1 and 2 to conduct survey of the property situated in S.No.204/2 and 204/4 in Palur Village, Ambur Taluk, Tirupattur District, and demarcate the same as per the Judgment and Decree dated 22.03.2021 passed by the Subordinate Judge, Vaniyambadi, in A.S.No.78 of 2016, after giving notice to the third respondent, within a time frame to be fixed by this Court.

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

3. The petitioner herein claiming right over the common property in survey nos.204/2 and 204/4 on the strength of judgment and decree passed in AS.No.78 of 2016, submitted on-line application seeking survey of the property in survey nos. 204/2 and 204/4 and the same has not been considered till date. Therefore, the petitioner is before this Court.



4. Mr.D.Gopal, learned Government Advocate, who takes notice for the respondents 1 & 2 would submit that the representation of the petitioner will be considered on its own merits and appropriate orders will be passed.

5. In view of the above submission made by the learned Government Advocate, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 15.11.2023 and pass final orders, after issuing notice to the petitioner as well as the third respondent and any other interested parties, as per the judgment and decree in A.S.No.78 of 2016, within a period of eight weeks from the date of receipt of a copy of this order.

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

18.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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S. SOUNTHAR, J.

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W.P.No.26936 of 2

To

1. The Tahsildar,
Tahsildar Offices,
Ambur Taluk,
Tirupattur District.
2. The Surveyor Officer,
Tahsildar Offices, Ambur Taluk,
Tirupattur District.

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