



WEB COPY



W.P.No.29304 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.29304 of 2024

1.R.Kanchanadevi

2.T.Lalithamani

... Petitioners

VS.

1.The Inspector of Police,
Sulur Police Station,
Sulur, Coimbatore,
Coimbatore District.

2.The Tashildar,
Sulur Taluk,
Sulur, Coimbatore,
Coimbatore District.

3.The Taluk Surveyor,
Sulur Taluk,
Sulur, Coimbatore,
Coimbatore District.

4.K.Venkatachalamurthi

5.V.P.Muthu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from



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conducting survey the land comprised in S.No.340/2 situated at Pattanam Village, Palladam Taluk, Singanallur, Coimbatore District till the disposal of IA.No.4/2023 in OS.No.1392/2013 on the file of 1st Additional Subordinate Judge, Coimbatore by considering the petitioner's representation dated 22.07.2024.

For Petitioner : Mr.K.Prabhakaran

For R1 : Mr.S.Sugendran
Additional Public Prosecutor

For R2 and R3 : Mr.P.Sathish
Additional Government Pleader

ORDER

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

2. The petitioner herein seeks issue of Writ of Mandamus, forbearing the respondents 1 to 3 from conducting survey of the land comprised in S.No.340/2 situated at Pattanam Village, Palladam Taluk, Singanallur, Coimbatore District, by considering her representation dated 22.07.2024.

3. It is the case of the petitioner that 5th respondent herein moved this



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Court for survey of the above mentioned land in W.P.No.3890 of 2024 and this Court directed the Authorities to conduct an enquiry after issuing notice to all interested parties and take a decision with regard to the request made by the 5th respondent. It is further stated by the petitioner that pursuant to the order passed by this Court, the Official Respondents have not issued any notice to the petitioner and attempting to survey the property of the petitioner without hearing his objection. The petitioner also submitted a representation on 22.07.2024 objecting to survey of her property. The same has not been considered by the Official Respondents till date. Hence, the petitioner is before this Court.

4. Mr.S.Sugendran, learned Additional Public Prosecutor takes notice for the 1st respondent and Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents 2 and 3.

5. The learned Additional Government Pleader appearing for the respondents 2 and 3 would submit that the objection submitted by the petitioner through her representation dated 22.07.2024 will be considered by the 2nd respondent on its own merits and final decision will be taken in



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accordance with law, within the time fixed by this Court.

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6. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 22.07.2024 and pass final orders on its own merits and in the light of the order passed by this Court in W.P.No.3890 of 2024, dated 19.02.2024, after giving due opportunity to the petitioner and private respondents 4 and 5, within a period of six weeks from the date of receipt of copy of this order. The final order passed by the 2nd respondent shall be communicated to the petitioner.

7. With the above directions, the Writ Petition stands disposed of. No costs.

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(2/2)

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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S.SOUNTHAR, J.

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