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W.P.No.29267 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.29267 of 2024

Dhanagopal

...Petitioner

Vs.

1. The District Collector
Namakkal District.

2. The Commissioner
Municipal Office,
Tiruchengode, Namakkal District

3. The Surveyor
Tiruchengode,
Namakkal District

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to measure the property bearing RS.No.521/1, measuring to an extent of 5.13 acres, which belongs to the petitioner situated in Emappalli Village, Tiruchengode, Namakkal District earmark the boundaries of the property based on the petitioner's application dated 29.08.2024 within a time frame.

For Petitioner

: Mr.A.M.Amutha Ganesh

For Respondents

: Mr.S.J.Mohamed Sathik
Government Advocate



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ORDER

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The petitioner herein seeks a direction to respondents 2 and 3 to consider his representation dated 29.08.2024 seeking survey of his property situated in R.S.No.521/1 with an extent of 5 acres and 13 cents at Emappalli Village, Tiruchengode Taluk, Namakkal District.

2. It is the case of the petitioner that the above mentioned property originally belonged to petitioner's maternal grandfather namely Periyasamy under registered sale deed dated 09.02.1978. He died leaving behind his wife Jothi and two children namely Sampooram and Vennila. The petitioner is the son of said Sampooram. Subsequently, the other two sharers namely Jothi and Vennila executed a release deed in favour of petitioner's mother on 17.09.2001. Thus, the petitioner's mother was entitled to absolute right over the property. Later, she died intestate. Thus, the petitioner, his father Thangavelu and his brother Yoganathan are entitled to above mentioned property. The petitioner submitted an online application on 01.08.2024 seeking survey of the property and the same has not been considered. Hence, he is before this Court.



W.P.No.29267 of 2024.

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3. The learned Government Advocate, who is taking notice for the respondents 1 to 3, submits that the online application of the petitioner will be considered on its' own merits within a time fixed by this Court.

4. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to issue direction to the 3rd respondent to consider the online application of the petitioner dated 01.08.2024 and pass final orders on its' own merits within a period of six weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

04.10.2024

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

3/4



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S.SOUNTHAR, J.
nr

To

1. The District Collector
Namakkal District.
2. The Commissioner
Municipal Office,
Tiruchengode, Namakkal District
3. The Surveyor
Tiruchengode,
Namakkal District

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