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W.P.No.29993 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.29993 of 2024

V.Manikandan

...Petitioner

Vs.

1. The Thasildar,
Office of the Thasildar,
R.K.Pett Taluk, Thiruvallur District,
Tamilnadu.
2. P.Boobalan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to survey the petitioner's land bearing Survey No.198/3 to an extent of 4.84 Acres, situated at Paivalasa Village, R.K.Pet, Thiruvallur District, and fix survey mark (survey stone) demarcating the said land by metes and bounds, within a stipulated time, considering the petitioner's on-line application No.2024/0123/01/003966 made on 15.07.2024.



WEB COPY



W.P.No.29993 of 2024

For Petitioner : Mr.P.R.Thiruneelakandan

For R1 : Mr.S.J.Sathik Mohamed
Government Advocate

ORDER

The petitioner herein seeks a direction to the first respondent to survey the property situated in survey No.198/3 with an extent of 4.84 Acres, Paivalasa Village, R.K.Pet, Thiruvallur District, by considering his on-line application No.2024/0123/01/003966 dated 15.07.2024.

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

3. It is the case of the petitioner that he purchased the above mentioned property under sale deed dated 19.11.2011. The said sale deed was cancelled by the Registering authority at the instance of the second respondent. The said order was challenged by the petitioner before this Court in WP.No.2368 of 2022 and the same was allowed, quashing the order passed by the registering



W.P.No.29993 of 2024

authority cancelling the registration and parties were relegated to approach the Civil Court. Thereafter, the second respondent has not filed any Civil suit and the petitioner filed on-line application dated 15.07.2024 before the respondents seeking survey based on the sale deed dated 19.11.2011 and the same has not been considered till date. Therefore, the petitioner is before this Court.

4. Mr.S.J.Sathik Mohamed, learned Government Advocate, who takes notice for the first respondent would submit that the on-line application of the petitioner would 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 on-line application of the petitioner dated 15.07.2024 and pass final orders, after issuing notice to the petitioner as well as the second respondent and any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.No.29993 of 2024

WEB COPY

6. With the above direction, this Writ Petition is disposed of.

No costs.

17.10.2024

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

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To

The Thasildar,
Office of the Thasildar,
R.K.Pett Taluk, Thiruvallur District,
Tamilnadu.



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W.P.No.29993 of 2024

S. SOUNTHAR, J.

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W.P No.29993 of 2024

17.10.2024