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W.P.No.30753 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.30753 of 2024

Rathinam

...Petitioner

Vs.

1. The District Collector,
O/o. the District Collector,
Tiruppur - District.
2. The Tahsildar,
O/o the Tahsildar,
Uthukuli - Taluk,
Tiruppur - District.
3. The Assistant Director of Survey and Land Records,
O/o. the Assistant Director of Survey and land records,
Tiruppur - Post & 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 & 3 to conduct survey and earmark the common pathway cum Cart Track situated in the Re-survey No.7/10, 25/2, 25/3, 26/2, 27 and 28 of Chettikuttai Village, Uthukuli Taluk, Tiruppur District based on the on-line challan number 20240130005898 dated 30.01.2024 and another challan number 20240826000305 dated 26.08.2024 based on the representation dated 25.09.2024.



WEB COPY



W.P.No.30753 of 2024

For Petitioner : Mr.D.Veerasekharan
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 2 & 3 to survey the common pathway cum Cart Track situated in Re-survey No.7/10, 25/2, 25/3, 26/2, 27 and 28, Chettikuttai Village, Uthukuli Taluk, Tiruppur District, by considering his on-line applications dated 30.01.2024 and 26.08.2024.

2. 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.

3. It is the case of the petitioner that he purchased the above mentioned properties under two registered sale deeds dated 21.01.2016. In both the sale deeds the petitioner's right over common pathway cum cart track has been mentioned. The pathway mentioned in the sale deed also detailed in the FMB



W.P.No.30753 of 2024

sketch. Therefore, the petitioner submitted an on-line application seeking survey of the pathway cum cart track by filing on-line applications dated 30.01.2024 and 26.08.2024 and the same has not been considered till date. Therefore, the petitioner is before this Court.

4. Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents would submit that the on-line application 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 Special 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 on-line applications of the petitioner dated 30.01.2024 and 26.08.2024 and pass final orders, after issuing notice to the petitioner and neighboring land owners and other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.No.30753 of 2024

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

No costs.

24.10.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

To

1. The District Collector,
O/o. the District Collector,
Tiruppur - District.
2. The Tahsildar,
O/o the Tahsildar,
Uthukuli - Taluk,
Tiruppur - District.
3. The Assistant Director of Survey and Land Records,
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W.P.No.30753 of 2024

S. SOUNTHAR, J.

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W.P No.30753 of 2024

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