



W.P.No.3264 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3264 of 2024

and

W.M.P.No.3530 of 2024

Rajendran

... Petitioner

versus

1.The Assistant Director,
Survey and Land Records,
Salem.

2.The Thasildhar,
Government Medical College,
Pethanaickanpalayam Taluk,
Salem District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land comprised in S.No.200/1B and 200/2B, Abinavam Village, Pethanaickan Palayam Taluk, Salem District admeasuring 89 cents and 68



W.P.No.3264 of 2024

cents based on the petitioner's representation dated 03.06.2020, 01.03.2021 and 01.09.2023.

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

Mr.S.J.Mohamed Sathik, learned Government Advocate accepts notice for the respondents. With the consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents to survey the petitioner's land comprised in S.Nos.200/1B and 200/2B, ad-measuring 89 cents and 68 cents, situated Abinavam Village, Pethanaickan Palayam Taluk, Salem



W.P.No.3264 of 2024

District, based on the petitioner's representation dated 03.06.2020, 01.03.2021 and 01.09.2023, respectively.

3. The learned counsel for the petitioner submitted that the petitioner is the absolute owner of the subject properties and Patta also stood in the name of the petitioner. Though the petitioner has made applications to the second respondent on 03.06.2020, 01.03.2021 and 01.09.2023, respectively, seeking to conduct survey in respect of subject lands, by paying requisite fees through e-challan, the second respondent has not considered the same till date. Hence, the petitioner is before this Court.

4. This Court, at this stage, is not expressing any view on the merits of the matter, as it is for the second respondent to consider and decide the same on merits and in accordance with law. Since this Writ Petition is only for a mandamus simplicitor to consider the application, this Court directs the second respondent to consider the application of the petitioner, dated



W.P.No.3264 of 2024

01.09.2023 and pass appropriate orders on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the rival claimants / interested parties/objectors/ adjacent owners, as the case may be. While passing orders, if the second respondent finds that the petitioner's application is otherwise in order, he/she shall conduct a survey in the subject lands. All such exercise shall be completed by the second respondent within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

ms

Page No.4/6



WEB COPY



W.P.No.3264 of 2024

To

- 1.The Assistant Director,
Survey and Land Records,
Salem.
- 2.The Thasildhar,
Government Medical College,
Pethanaickanpalayam Taluk,
Salem District.



WEB COPY



W.P.No.3264 of 2024

P.VELMURUGAN, J.

ms

W.P.No.3264 of 2024

14.02.2024