



W.P.No.35497 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.35497 of 2023

K.Padmanabhan

... Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.

2. The Tahsildar,
Gingee Taluk,
Villupuram District.

3. K.Periyannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents particularly the 2nd respondent by considering the petitioners representation dated 06.11.2023 sent for survey and measurement of his properties situated at Konai Village Gingee Taluk Villupuram District (a) patta No.342 comprised in S.No.302/2A-0.09.00 Ares (0.22 1/2 cents) and (b)Patta No.6115 comprised in S.No.303/2A-0.07.00 Ares (0.17 1/2 cents) in all totalling to an extent of Hectors 0.16.00 Ares (0.40 cents) to identify the encroachment made by the 3rd respondent.



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For Petitioner : Mr.R.Thanjan
For R1 & R2 : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader
For R3 : No appearance

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the second respondent to consider the petitioner's representation dated 06.11.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

3. The learned counsel for the petitioner submitted that the petitioner had made a representation before the second respondent on 06.11.2023 to survey and measure his properties and the same has not been considered till now. Hence, the petitioner has filed the present writ petition.



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4. It is to be noted that this Court, in W.P.No.262 of 2018 (*D.Tulasi vs. The District Revenue Officer, Dharmapuri etc. and batch*), by order dated 09.06.2023, directed the Department to issue circular with regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a Circular No.R1/2005632/2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters have to be disposed of has been fixed in the circular and inspite of the same, the Departments are not following either the order of this Court or the circular.

5. The present Writ Petition is filed seeking a simple writ of mandamus to consider the petitioner's representation dated 06.11.2023. In view of the limited prayer sought for in this Writ Petition, without going into the merits of the case, this Court directs the second respondent to consider the petitioner's representation dated 06.11.2023 and issue notice to the petitioner, private respondents, adjacent land owners of the



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four boundaries of the subject property/interested parties/rival claimants/objectors if any, as the case may be, if already not issued and conduct enquiry in the manner known to law, if already not conducted and pass orders on merits and in accordance with law, if already not passed within the period as stipulated in the abovesaid Circular, from the date of receipt of a copy of this order.

6. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

31.01.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Tahsildar,
Gingee Taluk,
Villupuram District.



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P.VELMURUGAN, J.

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