



W.P.No.35181 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.35181 of 2023

Tamilarasan
S/o.Gnanam

... Petitioner

versus

1. The Tahsildar,
Tahsildar Office,
Pochampalli Taluk,
Krishnagiri District.

2.The Firka Surveyor,
Pochampalli Taluk,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to measure the land Nanjal 0.39 cents (out of 80 cents) and also $\frac{1}{2}$ share in common Well and 0.01 cents of land in common Well (Totally 0.40 cents) situated in S.F.No.451/6, Kottapatti Village, Pochampalli Taluk, Krishnagiri District and earmark the boundaries by considering the petitioner's representation dated 31.10.2023.



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For Petitioner : Mr.M.Vignesh
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader accepts notice for the respondents. By 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 a mandamus directing the respondents to consider the petitioner's representation dated 31.10.2023, wherein and whereby, he sought to measure his Nanjai land ad-measuring 0.39 cents (out of 80 cents) and also $\frac{1}{2}$ share in common Well and 0.01 cents of land in common Well (Totally 0.40 cents) situated in S.F.No.451/6, Kottapatti Village, Pochampalli Taluk, Krishnagiri District and earmark the boundaries.

3. The main grievance of the petitioner is that even though the representation has been made on 31.10.2023, till date the respondents have



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not taken any action on the said representation.

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4. The learned Special Government Pleader appearing for the respondents submitted that several applications of similar nature are pending for consideration and those applications will be considered in the order of seniority.

5. It is needless to state that this Court by order dated 09.06.2023 in a batch of writ petitions in ***W.P.No.262 of 2018 [D.Tulasi Vs. The District Revenue Officer, Dharmapuri] etc.***, had already given directions to the Registration Department that if any application has been received, the same has to be disposed of as early as possible. Pursuant to the above direction, a circular dated 17.07.2023 has been issued by the Commissioner of Land Administration in a Circular No.R1/2005632/2022, in which, time limit is fixed as six months to dispose of the application/revision/representation/appeal. However, in the present case, the authority concerned has neither followed the directions of this Court nor the Circular dated 17.07.2023. Since time limit has been fixed for disposal of the same, if the authority concerned has received an application/revision/representation/appeal, he has to process the same and fix enquiry date, but cannot keep the



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same as pending. In the present case, the petitioner has given the representation on 31.10.2023, but till date the petitioner has not received any communication/notice from the authority concerned, therefore, the petitioner approached this Court.

6.This Court, at this stage, is not expressing any view on the merits of the matter, as it is for the first respondent to consider and decide the same on merits and in accordance with law. Since the limited prayer sought for in this writ petition is for disposal of the representation, this Writ Petition is disposed of, by directing the first respondent to consider the representation of the petitioner dated 31.10.2023 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 if any, and after conducting enquiry, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

02.01.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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Pg.Nos.5/8



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To

1. The Tahsildar,
Tahsildar Office,
Pochampalli Taluk,
Krishnagiri District.

2. The Firka Surveyor,
Pochampalli Taluk,
Krishnagiri District.

Pg.Nos.7/8



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P.VELMURUGAN, J.

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