



W.P.No.294 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.294 of 2024

A.Mariappan

... Petitioner

Versus

1.The Tahsildar (Kadayampatty Taluk),
Office of the District Tahsildar,
Kadayampatty Taluk, Salem District,
Salem – 636 351.

2.The Head Surveyor,
Office of the District Tahsildar,
Kadayampatty Taluk, Salem District.
Salem – 636 351.

3.The Firka Surveyor (Land),
Office of the District Tahsildar,
Kadayampatty Taluk, Salem District,
Salem – 636 351.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioner's application dated 10.07.2023 in order to measure the petitioner's land to an extent of 1.75 Acres of land, comprised in S.No.129/2, situated at Danishpettai Village, Kadayampatty Taluk, Salem District by furnishing the surveyor report within a stipulated



W.P.No.294 of 2024

time.

For Petitioner : Mr. N. Vijaya Basker

For Respondents : Mr. R. Vigneshwaran
Government Advocate

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents to consider the petitioner's application dated 10.07.2023 in order to measure the petitioner's land to an extent of 1.75 Acres of land, comprised in S.No.129/2, situated at Danishpettai Village, Kadayampatti Taluk, Salem District by furnishing the surveyor report within a stipulated time.

2. The claim of the petitioner is that he made an application dated 10.07.2023 before the respondents herein to survey his land to an extent of 1.75 Acres of land, comprised in S.No.129/2, situated at Danishpettai Village, Kadayampatti Taluk, Salem District, for the purpose of putting a Barbed wire fencing around his property, for which, he had also remitted the fees under Challan No.20230710008329, on the same day itself. But, the respondents have not issued any notice in this regard



W.P.No.294 of 2024

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and kept pending the petitioner's application. Therefore, the petitioner filed the present Writ Petition before this Court for the above said relief.

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that it would suffice if a direction is issued to the respondent to dispose of the petitioner's application dated 10.07.2023, within a stipulated time as may be fixed by this Court.

4. Mr. R. Vigneshwaran, learned Government Advocate who takes notice for the respondents submitted that the respondents may be directed to consider the petitioner's representation/application dated 10.07.2023 and so that the respondents will pass orders on merits thereon and in accordance with law.

5. Since the writ petition is filed only for a simple writ of mandamus to consider the representation/application of the petitioner dated 10.07.2023 and to pass orders, therefore, the respondents are directed to issue notice to the petitioner and the adjacent land owners of the petitioner's land, for the purpose of measuring the property in the



W.P.No.294 of 2024

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presence of the parties and interested parties if any, and conduct an enquiry, in the manner known to law, if the said representation/application dated 10.07.2023 of the petitioner, otherwise in order, and also consider the said application and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above observation and direction, the Writ Petition is disposed of. No costs.

09.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

klt



W.P.No.294 of 2024

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W.P.No.294 of 2024

P. VELMURUGAN, J.

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W.P.No.294 of 2024

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