

W.P. No.19100 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.19100 of 2025

B.Prasad

... Petitioner

Vs.

1.Sub-Collector,
Hosur,
Krishnagiri District.

2.The Tahsildar,
Hosur Taluk,
Hosur,
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to dispose of the appeal filed by the petitioner dated 01.12.2023 against the order passed by the second respondent in Na.Ka.No.3805/2023/Nil dated 26.10.2023.

For Petitioner(s)	: Mr.P.Rajavelayutham
For Respondent(s)	: Mr.A.Selvendran Special Government Pleader



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ORDER

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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of mandamus to direct the first respondent to dispose of the appeal filed by the petitioner dated 01.12.2023 against the order passed by the second respondent in Na.Ka.No.3805/2023/Nil dated 26.10.2023.

3. It is submitted by the learned counsel for the petitioner that the property comprised in S.No.530/2, to the extent of 3.92 1/2 acre, Hosur Taluk, Krishnagiri District is petitioner's ancestral property. After the demise of his father and brother, the petitioner and deceased brother's wife, Annapoorna are in the possession of the subject property. The petitioner decided to create partition in the above property equally between him and the said Annapoorna. Hence, the petitioner filed an on-line application dated 07.02.2023 before the second respondent to conduct survey of the subject property and has also paid necessary charges. Since the said representation was not considered by the second respondent till date, the petitioner filed a writ petition in WP No.9484 of 2023 for a direction to the second respondent to dispose of the said representation.



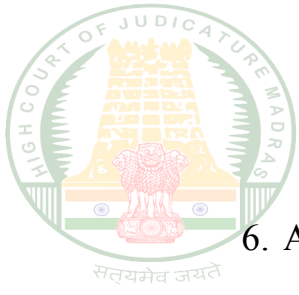
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Pursuant thereto, the second respondent rejected the same. Aggrieved by the

same, the petitioner filed an appeal dated 01.12.2023 before the first respondent and the same is still pending. Hence the petitioner has filed the present writ petition.

4. On this being pointed out, the learned Special Government Pleader would submit that they would consider the petitioner's appeal dated 01.12.2023 and carry out a survey and complete the process within a time frame to be fixed by this Court, if the appeal is not yet disposed of, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, the writ petition stands disposed of with the direction to the first respondent to consider petitioner's appeal dated 01.12.2023 and carry out a survey, and complete the process within a period of 12 weeks from the date of uploading of the web copy without waiting for the receipt of certified copy, if the appeal is not yet disposed of, after giving prior notice to the petitioner, Annapoorna and other interested parties including rival claimants if any. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.



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6. Accordingly, the writ petition stands disposed of. There shall be no

order as to costs.

11.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn

To:

1.Sub-Collector,
Hosur,
Krishnagiri District.

2.The Tahsildar,
Hosur Taluk,
Hosur,
Krishnagiri District.



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MOHAMMED SHAFFIQ, J.

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