



W.P.No.24713 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

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Thirumathi.Papathi

... Petitioner(s)

Vs.

- 1.The District Collector,
Collector Office Campus,
Salem - 636 001.
- 2.The Sub Collector,
Collector, Office Campus,
Salem - 636 001.
- 3.The Tahsildar,
Office of Tahsildar,
Omalore Town and Taluka,
Salem District.
- 4.V.Manokaran

...Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, Directing the third respondent to consider Petitioner representation dated 10.03.2025 for demarcating the boundaries of the land situated in Karukkalvadi Village, comprised in



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Natham Survey No.303/9, in accordance with the 1994 allotment order issued by the Special Tahsildar, Omalur.

For Petitioner : Ms.S.Anusha

For Respondents : Mr.S.Balamurugan for R1 to R3
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to 4th respondent is dispensed with.

2.The present writ petition is filed praying for a Writ of Mandamus, to direct third respondent to consider petitioner's representation dated 10.03.2025 for demarcating boundaries of the land comprised in S.No.303/9, measuring an extent of 0.0050.5 hectares situated at Karukkalvadi Village, Omalur Taluk, Salem District based on the allotment order.

3.It is submitted by learned counsel for petitioner that above mentioned property classified as Grama Natham was allotted to petitioner in 1994 by Special Tahsildar, Omalur. The said allotment was



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issued under “Natham Land Tax Scheme” and ever since allotment, petitioner's family has been in continuous possession and enjoyment of the same. However, V.Manokaran/fourth respondent herein attempted to encroach the above mentioned property.

4.It is further submitted that petitioner submitted a representation dated 10.03.2025 to third respondent to demarcate subject property and had also paid necessary fees for the same. The above representation has not been considered by the third respondent till date. Aggrieved by the same, the present writ petition has been filed.

5.Learned Government Advocate for respondents 1 to 3 on instructions would submit that third respondent shall consider the representation in accordance with law, after issuing notice to petitioner, adjacent land owner, 4th respondent and all other interested parties including rival claimants, if any, within a time frame to be fixed by this Court, which was agreed to by learned counsel for petitioner.

6.In view of limited relief that is prayed, this Court is inclined to dispose of the writ petition with following directions:



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i) Third respondent shall consider the representation in accordance with law, after issuing notice to petitioner, adjacent land owner, 4th respondent and all other interested parties including rival claimants, if any.

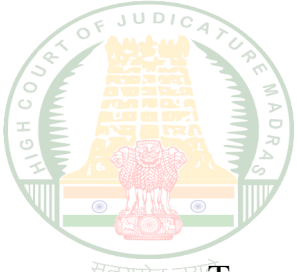
ii) Though facts have been set out in the extent of affidavit, this Court does not propose to deal with it while leaving it open to the respondents to call for any document/conduct enquiry, if any, while considering representation for conducting survey of subject property. It is also open to the respondents to call for documents to satisfy itself of petitioner's entitlement for requesting survey of subject property.

iii) The entire process shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

iv) It is made clear that this Court has not expressed any views with regard to 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. Rights and contentions of petitioner and all other interested parties are left open. No costs.

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Index : Yes/ No
Speaking / Non Speaking Order
Neutral Citation: Yes/No
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MOHAMMED SHAFFIQ, J.

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