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W.P.No.24302 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.24302 of 2024
and
W.M.P. No.26551 of 2024 in W.P. No.24302 of 2024

C.Ravichandran

... Petitioner

Vs.

1.The District Collector,
Salem District.

2.The District Revenue Officer,
District Collector Office,
Salem – 636 001.

3.The Revenue Divisional Officer,
District Collector Office,
Salem – 636 001.

4.The Tahsildar,
Salem.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Certiorarified Mandamus to call for the
records pertaining to notice in Na.Ka.1933/2024/A9 dated 09.07.2024

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issued by fourth respondent and quash the same and consequently direct respondents to consider the petitioner's representations dated 12.07.2024 and 15.07.2024.

For Petitioner : Ms.D.Cuba Bharathi
for Mr.K.Sathish Kumar

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned 'Writ Petition' (hereinafter 'WP' for the sake of brevity) has been filed with prayer for issue of writ of certiorarified mandamus.

2. Ms.D.Cuba Bharathi, learned counsel representing Mr.K.Sathish Kumar, learned counsel on record for writ petitioner and Mr.T.K.Saravanan, learned Additional Government Pleader for all four respondents are before us. With the consent of learned counsel on both sides, captioned main WP was taken up and heard out.

3. As regards certiorari limb of the prayer, a 'notice issued by R4 (signed by R4 on 09.07.2024) bearing reference Na.Ka.1933/2024/A9' (hereinafter 'impugned notice' for the sake of convenience and clarity)

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has been called in question. Insofar as mandamus limb of the prayer is concerned, a mandamus qua respondents has been sought and that mandamus is to consider writ petitioner's representations dated 12.07.2024 and 15.07.2024.

4. Learned State counsel submits that impugned notice issued by R4 is only an intimation by which writ petitioner and others concerned have been put on notice that Survey No.110 in Sukkampatti Village, Salem Taluk, Salem District will be surveyed and it further calls upon the noticees to be present for the survey together with documents if any.

5. Grievance of the writ petitioner is that entire Survey No.110 has to be surveyed, as according to writ petitioner, there are other encroachers who have been spared. To be noted, this is the crux and gravamen of said representations which constitute mandamus limb of the prayer.

6. Learned State counsel makes the following submissions:

6.1 Entire Survey No.110 in Sukkampatti Village,



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Salem Taluk, Salem District will be surveyed, if necessary, after putting on notice other stakeholders;

6.2 The survey did not happen on 12.07.2024 and the fresh date and time of survey will be intimated under due acknowledgement to all stakeholders;

6.3 Post survey, a report will be drawn up by R4 and if encroachment/s is/are noticed, appropriate action in accordance with applicable/appropriate statute will be commenced. This means that all alleged encroachers will be given an opportunity i.e., show caused.

7. As the impugned notice is only an intimation qua intended survey, we do not accede to the certiorari limb of the prayer but the submission of learned State counsel that entire Survey No.110 will be surveyed is recorded.

8. As regards the mandamus limb of the prayer, the narrative thus far makes it clear that the request of the writ petitioner to survey the entire Survey No.110 has been acceded to and therefore no orders are required qua mandamus limb.

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9. Captioned WP is disposed of in the aforesaid manner.

Consequently, captioned Writ Miscellaneous Petition (WMP) thereat is disposed of as closed. There shall be no order as to costs.

(M.S.,J.)

(H.C.J.)

02.07.2025

Index : Yes / No

Neutral Citation : Yes / No

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To

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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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