



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO. 18085 OF 2021

Usha.

... Petitioner

/Vs/

- 1.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Attur, Salem District.
- 3.The Tahsildar,
Thalaivasal Taluk,
Salem District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the 3rd respondent to survey the petitioner's property comprised in S.No.26/3A and 26/3B to an extent of 2.68 Acres situated at Thenkumarai Village, Thalaivasal Taluk, Salem District and to mark the boundaries by considering the petitioner's representation dated 19.07.2021.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.Yogesh Kannadasan.
Government Advocate.

ORDER

This writ petition has been filed by the petitioner for issuance of direction to the 3rd respondent to survey the petitioner's properties comprised in S.No.26/3A and 26/3B measuring to an extent of 2.68 acres situated at Thenkumarai Village, Thalaivasal Taluk, Salem District, and to mark the boundaries by considering the petitioner's representations dated 19.07.2021.



2. The case of the petitioner is that he had purchased the properties comprised in S.No.26/3A and 26/3B measuring to an extent of 2.68 acres situated at Thenkumarai Village, Thalaivasal Taluk, Salem District, by way of registered sale deed, dated 07.11.2018 vide Document No.2798 of 2018 on the file of SRO, Thalaivasal. Subsequently, all the revenue records stood in his name and he was in possession and enjoyment of the same. Further, he stated that the property is a vacant land, wants to survey his land and to mark the boundaries. Thereafter, he sent a representation to the third respondent on 19.07.2021 to survey his land and to mark the boundaries, but till date no action has been taken on the petitioner's representation. Hence, the petitioner has come forward with the present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representation dated 19.07.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the third respondent to consider the petitioner's representation dated 19.07.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msm

To

1.The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Attur, Salem District.



3.The Tahsildar,
Thalaivasal Taluk,
Salem District.

+1cc to M/S.R.Jayaprakash, Advocate, S.R.No.43599

+1cc to the Government Pleader, S.R.No.44236

W.P.No.18085 of 2021

PMK (CO)
PM/21/09/2021