

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.7577 of 2014

A.Abdul Rashid

.. Petitioner

Vs.

1.The District Collector
Collectorate Office
Thiruvannamalai District.

2.The Tahsildar
Taluk Office
Thiruvannamalai District.

3.The Surveyor
Taluk Office
Thiruvannamalai District.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the second and third respondents to survey the land bearing Survey No.T.S.1826/1A/1A/2 situate at Thenmalai, Thiruvannamalai District and also to direct the first respondent to monitor the same.

For Petitioner : Mr.A.Ansar

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.A.Ansar, learned Counsel appearing for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate appearing for the respondents.

3.The petitioners seek for issuance of writ of mandamus to direct the second and third respondents to survey the land bearing Survey No.T.S.1826/1A/1A/2 situate at Thenmalai, Thiruvannamalai District and also to direct the first respondent to monitor the same.

4. According to the petitioner, he is owning a land bearing Survey No.T.S.1826/1A/1A/2 to an extent of 53.3 cents situate at Thiruvannamalai District and he is in continuous possession of the said property. The petitioner would state that for putting up a compound wall and he along with Surveyor visited the property for demarcate the land. At that stage, they were prevented from entering the property by some third parties. Hence, the petitioner filed a Civil Suit in O.S.No.87 of 1984 for a declaration of title and the said Suit was decreed in his favour and the decree was not challenged and it reached finality. In this regard, the petitioner has also submitted a representation to the third respondent during December 2013 and also preferred a petition to the first respondent for appropriate direction. However, no action has been initiated by the respondents to survey and demarcate the land. Hence, the petitioner has come forward with the present Writ Petition.

6. Considering the limited scope of the prayer made by the learned counsel for the petitioner, the second respondent is directed to consider the representation submitted by the petitioner during December, 2013, to survey the land bearing Survey No. T.S.1826/1A/1A/2 situate at Thenmalai, Thiruvannamalai District, after notice to the petitioner as well as to the other neighbouring land owners, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Petitioner is also directed to submit a fresh representation along with copy of this order to the second respondent forthwith.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpa

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To

1.The District Collector
Collectorate Office
Thiruvannamalai District.

2.The Tahsildar
Taluk Office
Thiruvannamalai District.

3.The Surveyor
Taluk Office
Thiruvannamalai District.

+ 1 cc to Mr.A. Ansar, Advocate SR.13533

GJ(CO)
EU 23.03.2015

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