

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.20243 of 2015

M.Murugan

.. Petitioner

vs

The Tahsildar
Thenkani Kottai Taluk
Krishnagiri District

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to take appropriate action on the petitioner's application dated 5.1.2015, to survey the property in Survey Nos.45, 45/1, 51/1 and 51/5 in No.75, T.Gollahalli Village, Royakottai, Dharmapuri District, and put boundary stone in the petitioner's property.

For Petitioner : Mr.H.Adaikala Arockiaraj
For Respondent : Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that the property in Survey Nos.51/1 & 5, situated at Thimman Kottai, Royakottai, Krishnagiri Taluk and District, and other properties were joint family properties and a partition took place on 20.6.1956, vide Document No.1879/1956, on the file of the Office of the Sub-Registrar, Royakottai, and the above mentioned property was allotted to the share of his father. The petitioner would further state that from the date of partition, his father was in absolute possession and enjoyment of the same and after his demise, the petitioner has succeeded to his estate and he, in order to lay the boundary stones within the boundaries, has approached the respondent for surveying and measuring the property and putting up the boundary stones and has repeatedly submitted representations and since no orders have been passed, has filed W.P.No.24354/2014 and this Court vide order dated 9.9.2014, has directed the respondent therein to consider the application of the petitioner dated 30.6.2014, on merits and take appropriate action in accordance with law, to conduct survey and fix the boundaries within a period of eight weeks from the date of receipt of copy of the order.

3.The petitioner would state that though the measurement has been done, the result of the same is not made known and the fixation of boundary stones has also not been done and hence, he came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepted notice on behalf of the respondent.

5.Though the petitioner prayed for a larger relief, this Court, in the facts and circumstances of the case and without going into the merits of the claim projected by the petitioner, directs the respondent to comply with the order dated 9.9.2014, made in W.P.No.24354 of 2014, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

The Tahsildar
Thenkani Kottai Taluk
Krishnagiri District

+1cc to Mr.H. Adaikala Arockiaraj, Advocate, S.R.No.34423

+1cc to the Government Pleader, S.R.No.34743

KJI (CO)
EU(22/07/2015)

W.P.No.20243 of 2015

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