

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7404 of 2015 & MP.No.1 of 2015

1. V.Indhirani
2. V.Ramya
3. V.Theepthi .. Petitioners

Versus

1. Thasildar,
Office of Tirupur South Taluk,
Tirupur District.
2. Sub-Inspector of Survey,
Office of Tirupur South Taluk,
Tirupur District. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondents, the lawful authority to measure and demarcate the land comprised in Survey Nos.98/2, 98/3, 104/3, 105/1, 105/2 and 105/3 of Iduvoy Village with in a time frame to be fixed by this Court.

For Petitioners : Mr.P.Johnson
For Respondents : Mrs.P.Rajalakshmi, GA

ORDER

Heard Mr.P.Johnson, learned counsel for the petitioners and Mrs. P.Rajalakshmi, learned Government Advocate accepting notice for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner has filed this Writ Petition seeking direction to the respondents, the lawful authority to measure and demarcate the land comprised in Survey Nos.98/2, 98/3, 104/3, 105/1, 105/2 and 105/3 of Iduvoy Village with in a time frame

3.The first petitioner is the wife of [Late] Velusamy and petitioners 2 and 3 are the daughters of the first petitioner and [Late] Velusamy. After the demise of Velusamy, the petitioners are in possession and enjoyment of the properties in question. Since the petitioners were in need to fix the boundaries for the properties,

they applied to the 1st respondent on 13.12.2013, who in turn directed the 2nd respondent to survey the lands in Survey Nos.98/2 and 3, 104/3, 105/1,1 and 3 of Iduvay village. The 2nd respondent, pursuant to the direction of the 1st respondent, issue notice to the petitioners on 21.01.2014, intimating them about his proposal to measure the lands in question on 29.01.2014 by 10.00 a.m. But, till date no surveyors visited the lands nor the lands have been measured. Despite several representations made by the petitioners in person to the Tahsildar, no effective steps have been taken. Therefore, the petitioners are before this Court with the aforesaid prayer.

4.In the light of the recommendation made by the 1st respondent to the 2nd respondent to survey and to fix the boundaries, without going into the merits of the petitioners' contentions, there will be a direction to the 2nd respondent to survey the lands in question ; demarcate the same and fix the boundaries, after issuing notice to the petitioner as well as to the neighbouring land owners. The above said direction shall be complied by the 2nd respondent within a period of three months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

AP

To

1. Thasildar,
Office of Tirupur South Taluk,
Tirupur District.

2. Sub-Inspector of Survey,
Office of Tirupur South Taluk,
Tirupur District.

+1cc to Mr.P.Johnson,Advocate SR.No.14858
1 CC to the Government Pleader SR NO 15126

WP.No.7404 of 2015

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gp/24.3.