

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13558 of 2016

Y.Peeter

.. Petitioner

Vs.

1. The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.
2. The Tahsildar,
Thandrapattu Taluk,
Thiruvannamalai District.
3. The Land Surveyor/Revenue Inspector,
Land Demarcation Section,
Tahsildar Office, Thandrapattu Taluk,
Thiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second and third respondents to dispose of the petitioner's land demarcation applications, dated 05.02.2016 and 24.02.2016 in accordance with law, pertaining to the properties of agricultural land comprised in Survey Nos.195/1A1A, 195/1A1B and 195/1B1 vide Patta No.2214 and comprised in Survey Nos.195/4C, 195/1A1C, 195/1A1H, 195/1A1L and 195/1A1N vide Patta No.1203 and comprised in Survey Nos.195/4B, 195/1A1G, 195/1A1O vide Patta No.59 and house-site comprised in Survey No.215/1B, measuring 2726 Sq.Ft. vide Patta No.89, situated at Perunkulathur Village, Thandarampattu Taluk, Thiruvannamamali District, within Registration District of Thiruvannamalai, Sub-Registration District of Thanipadi, within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Agni Selvaraju

For Respondents : Mrs.M.E.Rani Selvam, Addl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the second and third respondents to dispose of the petitioner's land demarcation

applications, dated 05.02.2016 and 24.02.2016 in accordance with law, pertaining to the properties of agricultural land comprised in Survey Nos.195/1A1A, 195/1A1B and 195/1B1 vide Patta No.2214 and comprised in Survey Nos.195/4C, 195/1A1C, 195/1A1H, 195/1A1L and 195/1A1N vide Patta No.1203 and comprised in Survey Nos.195/4B, 195/1A1G, 195/1A1O vide Patta No.59 and house-site comprised in Survey No.215/1B, measuring 2726 Sq.Ft. vide Patta No.89, situated at Perunkulathur Village, Thandarampattu Taluk, Thiruvannamamali District, within Registration District of Thiruvannamalai, Sub-Registration District of Thanipadi, within a stipulated time as may be fixed by this Court.

2. It is the case of the petitioner that he is the absolute owner of the immovable properties situated in Perunkulathur Village, Thandarampattu Taluk, Thiruvannamamali District, within Registration District of Thiruvannamalai, Sub-Registration District of Thanipadi, comprised in Survey Nos.195/1A1A, 195/1A1B and 195/1B1 vide Patta No.2214. The petitioner and his mother Madhalaimari are the owners of the immovable properties comprised in Survey Nos.195/4C, 195/1A1C, 195/1A1H, 195/1A1L and 195/1A1N vide Patta No.1203. On 23.03.1994, the petitioner purchased properties from Mariyaprakasam comprised in Survey Nos.195/4B, 195/1A1G, 195/1A1O vide Patta No.59. On 31.08.2010, the petitioner purchased house-site from Chinnappan comprised in Survey No.215/1B measuring 2726 Sq.Ft. vide Joint Patta No.89 and after that, the petitioner is in continuous possession and enjoyment as an absolute owner without any encumbrance till today.

3. It is further stated by the petitioner that on 05.02.2016, the petitioner made an application before the second respondent for demarcation of the properties in respect of the said Patta Nos.2214, 1203 and 59 and paid proper deposit fee for the same towards survey charge before the second respondent. On 24.02.2016, the petitioner made another application before the second respondent for demarcation of his house-site, vide Patta No.89 and paid proper deposit fee towards survey charge before the second respondent. It is the further case of the petitioner that as per the citizen charter available in the Tahsildar office, the land demarcation application shall be accepted or rejected within 30 days. Even on 30.03.2016, the petitioner sent a representation to the respondents requesting to dispose of the said land demarcation applications, dated 05.02.2016 and 24.02.2016. Till date, the respondents have not taken any action on the said applications. Hence, the petitioner has filed this Writ Petition for the above relief.

4. Heard both sides.

5. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the respondents to consider the said land demarcation applications of the petitioner, dated 05.02.2016 and 24.02.2016, conduct enquiry, afford an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said applications, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondents to decide the same.

6. With the above observations and directions, the Writ Petition is disposed of. No costs.

cs

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

Copy to

1. The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.
2. The Tahsildar,
Thandrampattu Taluk,
Thiruvannamalai District.
3. The Land Surveyor/Revenue Inspector,
Land Demarcation Section,
Tahsildar Office, Thandrampattu Taluk,
Thiruvannamalai District.

+ 1 cc to Mr.J.Agni Selvaraju, Advocate SR 23053

kk(co)
prk27/4

W.P.No.13558 of 2016