

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29370 of 2016

K.Krishnamoorthy

... Petitioner

Vs.

1 The Tahsildar,
Chengam Taluk, Thiruvannamalai District.

2 The Taluk Head Surveyor,
Chengam Taluk,
Thiruvannamalai District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.06.2016 and thereby direct the respondents to measure the petitioner's property situated in Survey No.191/2D2, Paramananthan Village, Chengam Taluk, Thiruvannamalai District totally to an extent of 0.77 cents and 0.15 cents and erect milestones.

For Petitioner : Mr.A.Rajesh Kanna

For Respondents: Mr.S.Pattabiraman
Government Advocate

O R D E R

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

2.The petitioner claims that his father was the owner of the landed properties in S.Nos.190, 191, 192 of Paramananthan Village, Chengam Taluk, Thiruvannamalai District and a partition came into being among the family members vide Document No.706/1995 registered on the file of the office of the Sub Registrar, Chengam and the petitioner was allotted "D" Schedule property in the said partition and claims to be in possession and enjoyment of the properties in S.Nos.190/1A1C, 191/2D2, 191/2D4, 191/2G3, and 191/2J2D.

3.The petitioner also claims that he was also issued with patta No.510 by the 1st respondent and for availing agricultural

loan, he has also mortgaged the said property. The petitioner in order to redeem the mortgage, submitted an application dated 21.06.2016, for measurement and fixing the boundaries, to the first respondent and since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.A.Rajesh Kanna, learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate who accepts notice on behalf of the respondents and he would submit that since the representation submitted by the petitioner is not in proper format and that he has also not paid the fee, the representation may not be considered by the 1st respondent.

5. This Court in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioner to submit one more application for measurement and fixation of boundaries along with prescribed fees to the 1st respondent, within a period of 2 weeks from the date of receipt of a copy of this order and the 1st respondent on receipt of the same, shall entertain the said application, if the papers are otherwise in order and give a disposal, in accordance with law, within a further period of 8 weeks thereafter, after putting on notice, the persons concerned.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mk/pri

To

1 The Tahsildar,
Chengam Taluk, Thiruvannamalai District.

2 The Taluk Head Surveyor,
Chengam Taluk,
Thiruvannamalai District.

1 cc to M/s.A.Rajeshkanna, Advocate, 47824

1 cc to Government Pleader, sr.48040

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trm co

kra 14.09.2016