

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5210 of 2016

D.Venkatesan

... Petitioner

Vs.

1.The Thasildar
Anaikattu Taluk,
Vellore District.

2.The Deputy Thasildar
Anaikattu Taluk,
Vellore District.

3.The Surveyor,
Anaikattu Taluk,
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to dispose of the representation of the petitioner dated 25.05.2015 to survey land and demarcate with metes and bounds within a time frame.

For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.S.Navaneethan

Additional Government Pleader

सत्यमेव जयते

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to dispose of the representation of the petitioner dated 25.05.2015 to survey land and demarcate with metes and bounds within a time frame.

3.The petitioner would state that he is the absolute owner of the property situated at Athiyur Village, Vellore District in

Survey Nos.159/1, 159/2, 160/1B (as per sub division 160/1B1), 161/1C (as per sub division 161/1C1), 161/1C3 and 161/1A admeasuring an extent of 1.63 acres. He would further state that he purchased the property vide registered sale deed bearing Doc.No.3479 of 2004 dated 24.05.2004 and from the date of purchase, he is in possession and enjoyment of the property. Thereafter, necessary mutations were also carried out in the revenue records and the petitioner has also obtained Patta, Chitta, Adangal and FMB Sketch in his name. He would further state that from the date of purchase, he is continuously carrying on cultivating processes in his land.

4.The petitioner would further state that the adjacent owner of the land in Eastern side of his land is trying to encroach into his property by way of ingress and egress in his property and hence, he made an application dated 25.05.2015 before the Thasildar, Anaikattu to survey the land and demarcate the boundaries of the land in S.Nos.159/2, 160/1B, 161/1C1, for which he has also paid the necessary fee, but till date the said application has not been considered. Hence, this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

6.Considering the submissions made on either side, this Court directs the petitioner to give a copy of the application dated 25.05.2015 along with a copy of this order to the first respondent and on receipt of the same, the first respondent is directed to consider the same and pass appropriate orders with regard to the surveying of the land by affording opportunity of personal hearing to the petitioner as well as to the adjacent property owner and other necessary parties, if any. Petitioner is also directed to furnish all the particulars with regard to the adjacent property owner to the first respondent so as to enable them to issue notice. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

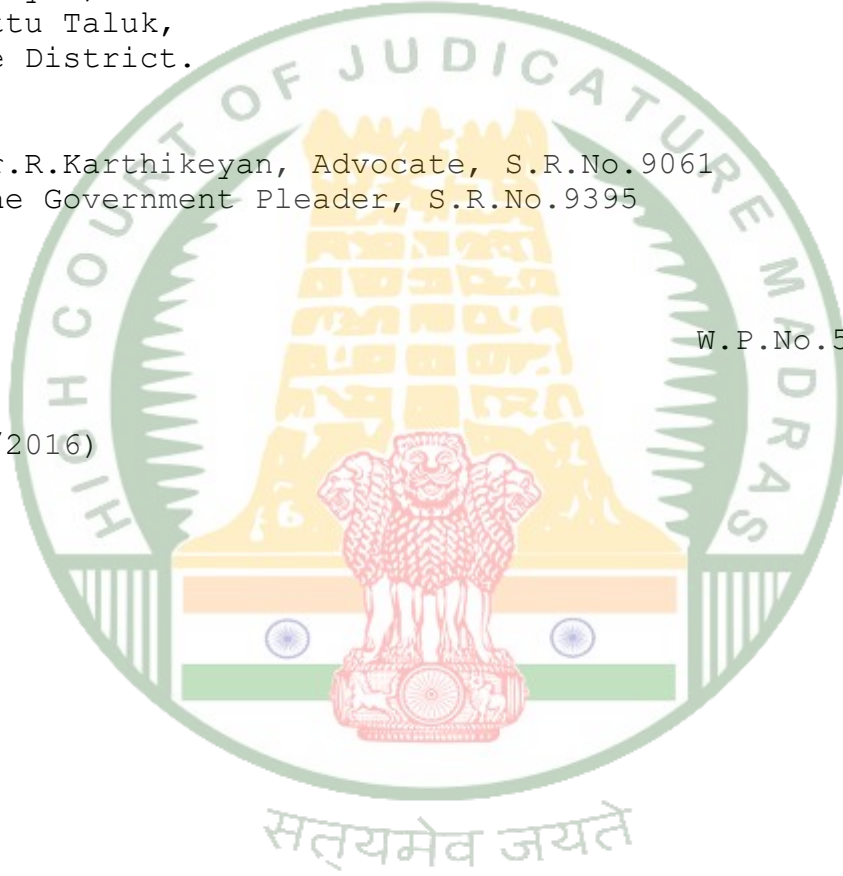
To

- 1.The Thasildar
Anaikattu Taluk,
Vellore District.
- 2.The Deputy Thasildar
Anaikattu Taluk,
Vellore District.
- 3.The Surveyor,
Anaikattu Taluk,
Vellore District.

+2cc to Mr.R.Karthikeyan, Advocate, S.R.No.9061
+1cc to the Government Pleader, S.R.No.9395

W.P.No.5210 of 2016

vs (CO)
srg(16/02/2016)



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