

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5219 of 2016

A.Kuppusamy

... Petitioner

Vs.

1.The District Collector,
Villupuram,
Villupuram District.

2.The Thasildar
Dindivanam Taluk,
Villupuram District.

3.The Land Surveyor,
Revenue Inspector,
Land Demarcation Section,
Tahsildar Office, Dindivanam Taluk,
Villupuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to dispose of the petitioner's land demarcation application dated 16.04.2014 in accordance with law pertaining to the property of house plot in comprising Survey No.320/13, measuring 00200 sqr.mtr vide Patta No.775 and situated at Olakkur Melpathi Village, Dindivanam Taluk, Villupuram District, within Registration District of Villupuram, Sub-Registration District of Avaraipakkam - Dindivanam, within a stipulated time may be fixed by this Hon'ble Court.

For Petitioner : Mr.J.Venkatraman

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

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 third respondent to dispose of the

petitioner's land demarcation application dated 16.04.2014 in accordance with law pertaining to the property of house plot comprised in Survey No.320/13, measuring 00200 sqr.mtr vide Patta No.775 and situated at Olakkur Melpathi Village, Dindivanam Taluk, Villupuram District, within the Registration District of Villupuram, Sub-Registration District of Avaraipakkam - Dindivanam, within a stipulated time that may be fixed by this Hon'ble Court.

3.The petitioner would state that he bought a property bearing S.No.320/1 situated at Melpathi village from one R.Kumar on 09.05.2011 and registered the same at Avaraipakkam - Dindivanam, District Registrar at Villupuram vide registration no.2827/2011. The petitioner had applied for patta name transfer and the same was transferred by the Tahsildar at Dindivanam bearing patta no.775 dated 30.05.2012 and the petitioner was in continuous possession and enjoyment of the same.

4.The petitioner would further state that he is also paying the property tax without any default. On 16.04.2014, the petitioner applied to the third respondent for land demarcation and fixing of boundary stones for the above said property and also paid the necessary fee for land demarcation. In this regard, the petitioner sent a representation to the first respondent on 06.07.2015. On 13.08.2015, the first respondent issued direction to the second respondent to dispose of the said representation. Even then, the application dated 16.04.2014 was not disposed of. Hence, the petitioner again sent a representation dated 12.10.2015 to the first respondent, 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 Government Advocate.

6.Considering the submissions made on either side, this Court without going into the merits of the claim projected by the petitioner, directs the petitioner to give a copy of the application dated 16.04.2014 along with a copy of this order to the third respondent and on receipt of the same, the third respondent is directed to consider the same and pass appropriate orders with regard to the land demarcation and fixing of boundary stones for the above said property, by affording opportunity of personal hearing to the petitioner and other necessary parties. Petitioner is also directed to furnish all the particulars with regard to the necessary parties to the first respondent so as to enable them to issue notice. The entire exercise shall be completed within a period of six 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 VI)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Villupuram,
Villupuram District.

2.The Thasildar
Dindivanam Taluk,
Villupuram District.

3.The Land Surveyor,
Revenue Inspector,
Land Demarcation Section,
Tahsildar Office, Dindivanam Taluk,
Villupuram District.

+1cc to Mr.J.venkatraman, Advocate, S.R.No.9046
+1cc to the Government Pleader, S.R.No.9397

W.P.No.5219 of 2016

lrs (CO)
srg (25/02/2016)

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