

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.8417 of 2016

S.Perumal

.. Petitioner

Vs.

1. The Revenue Divisional Officer,
Maduranthagam Taluk,
Kancheepuram District.
 2. The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.
 3. The Village Administrative Officer,
No.61, Panaiyur Village,
Cheyyur Taluk,
Kancheepuram District-603 302.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to forthwith survey and to fix the boundaries of the petitioner's agricultural lands measuring 5 acres and 35 cents in Survey No.92/1, new Survey No.92/1C2G2, situated at No.304, Panaiyur Village, Cheyyur Taluk, Kancheepuram District and the agricultural lands measuring 4 acres and 18 cents in New Survey No.92/1C2G1, situated at Panaiyur Village, Cheyyur Taluk, Kancheepuram District, by considering and passing orders on the applications of the petitioner, dated 09.02.2016 and 10.02.2016, within a stipulated period.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.A.S.Senthilvel, Addl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to forthwith survey and to fix the boundaries of the petitioner's agricultural lands measuring 5 acres and 35 cents in Survey No.92/1, new Survey No.92/1C2G2, situated at No.304, Panaiyur Village, Cheyyur Taluk, Kancheepuram District and the

agricultural lands measuring 4 acres and 18 cents in New Survey No.92/1C2G1, situated at Panaiyur Village, Cheyyur Taluk, Kancheepuram District, by considering and passing orders on the applications of the petitioner, dated 09.02.2016 and 10.02.2016, within a stipulated period.

2. It is averred by the petitioner in the affidavit filed in support of the Writ Petition that he is the absolute owner of the above said agricultural lands in both survey numbers based on registered sale deeds and the pattas have also been transferred in his name for both the lands and he has been paying the land Kist and tax for the said properties in his name. It is the case of the petitioner that he is in possession and enjoyment of the said lands from the date of purchase till date. It is the grievance of the petitioner that exact boundaries for the above said lands, have not been fixed by the Revenue authorities and the petitioner wants to know the same. In this regard, he submitted several representations for surveying the lands and to fix the boundaries as early as from 2013 onwards, but there was no response from the respondents. Last of such representations are dated 09.02.2016 and 10.02.2016 to the respondents for fixation of boundaries and surveying the lands. Though those representations have been acknowledged, the same had not been considered by the respondents as per the provisions of the Tamil Nadu Survey and Boundaries Act and the Rules framed thereunder. Hence, the petitioner is before this Court for the above relief.

3. Heard both sides.

4. Taking into consideration the facts and circumstances of the case, this Court directs the petitioner to give a copy of the said representations, dated 09.02.2016 and 10.02.2016 to the respondents, along with a copy of this order, within a period of one week from the date of receipt of a copy of this order. On receipt of such representations from the petitioner and after conducting enquiry and giving an opportunity of personal hearing to the petitioner and any other interested parties, pass appropriate orders and dispose of the said representations, on merits and in accordance with law, within a period of twelve weeks thereafter. 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 consider the same before disposing of the said representations on merits.

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

s/d-
Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

Copy to

1. The Revenue Divisional Officer,
Maduranthagam Taluk,
Kancheepuram District.
2. The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.
3. The Village Administrative Officer,
No.61, Panaiyur Village,
Cheyyur Taluk,
Kancheepuram District-603 302.

+ 1 cc to Mr.K.Selvaraj, Advocate, SR 14420

+ 1 cc to Govt.Pleader, High Court, Madras SR 14625

kgk(co)
prk23/3

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