



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 01.08.2016

CORAM

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

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W.P (MD) No.13690 of 2016

M.Selvam

..Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Assistant Director,
District Land Survey Office,
Pudukkottai.

3.The Tahsildar,
Taluk Office,
Pudukkottai,
Pudukkottai District.

4.The Taluk Deputy Inspector,
Land Survey,
Pudukkottai Taluk Office,
Pudukkottai District.

5.The Commissioner,
Pudukkottai Municipality,
Pudukkottai,
Pudukkottai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents No.2 to 4 to survey and demarcate the boundaries of the land measuring 1750 sq.fts measuring East-West 70 ft. by South-North 25 fts , having one tiled house and one thatched house bearing Door Nos. 161 and 162, comprised in S.No.106, Naipallam Village, Machuvadi, Pudukkottai Panchayat, North Revenue Village, Pudukkottai Taluk and District, pursuant to the Petitioner's application dated 12.2.2015 within the time stipulated by this Court.

For Petitioner :M/s.D.Gnanasekaran

For Respondents :Mr.S.Kumar

1 to 4 Addl.Govt.Pleader

For Respondent-5 :Mr.P.Mahendran

**ORDER**

Heard both sides.

2. By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3. No counter is filed on behalf of the Respondents.

4. The Petitioner has filed the present Writ Petition praying for passing of an order in directing the Respondents No.2 to 4 to survey and demarcate the boundaries of the land measuring 1750 sq.fts measuring East-West 70 ft. by South-North 25 fts, having one tiled house and one thatched house bearing Door Nos. 161 and 162, comprised in S.No.106, Naipallam Village, Machuvadi, Pudukkottai Panchayat, North Revenue Village, Pudukkottai Taluk and District, pursuant to the Petitioner's application dated 12.2.2015 within the time stipulated by this Court.

5. At this stage, the Learned Additional Government Pleader appearing for the Respondents No.1 to 4, brings it to the notice of this Court that the land in S.No.106, Naipallam Village, Machuvadi, Pudukkottai Panchayat, North Revenue Village, Pudukkottai Taluk and District belongs to the Government Tank Poramboke as registered in the Revenue Accounts and since it is a Government Tank Poramboke, the same cannot be measured. In effect, the stand taken on behalf of the Respondents 1 to 4 is that since the Petitioner's property is a Tamil Nadu Government Tank Poramboke, as such, surveying and demarcating the boundary of the said land do not arise, on any score.

6. Recording the aforesaid fact that the land in question bearing S.No.106 of Naipallam Village, Machuvadi, Pudukkottai Panchayat, North Revenue Village, Pudukkottai Taluk and District belongs to Government Tank Poramboke, as informed by the Learned Additional Government Pleader appearing on behalf of the Respondents No.1 to 4, this Court opines that nothing survives for adjudication for adjudication in the present Writ Petition.

7. Accordingly, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar



To

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Land Survey,
Pudukkottai Taluk Office,
Pudukkottai District.
- 5.The Commissioner,
Pudukkottai Municipality,
Pudukkottai,
Pudukkottai District.

+1cc to Mr.P.Mahendran,Advocate Sr.No.41361
+1cc to Mr.D.Gnanasekaran, Advocate Sr.No.40934
+1cc to Spl.Government Pleader Sr.No.41216

vsn

AA/SKS-RR/08.08.2016/3p-9c

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