

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.5726 of 2017

A.Jayam

... Petitioner

Versus

1. The Tahsildar,
Sankari Taluk,
Salem District.
2. The Head Surveyor,
Office of the Sankari Taluk Office,
Sankari, Salem District.
3. The Surveyor (Land)
Ernapuram Pirkka,
Kanagagiri Village,
Sankari Taluk, Salem District.
4. The Surveyor,
Kanagagiri Village,
Sankari Taluk, Salem District.
5. The Village Administrative Officer
Kanagagiri Village,
Sankari Taluk, Salem District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents to consider the application dated 18.02.2017 of the petitioner in order to measure the petitioner's land - Plots Nos.3 and 4 to an extent of 2,550 sq.ft (1269 sq.ft + 1281 sq.ft) comprised in Survey No.66/7, situated at Kanagagiri Village, Sankari Taluk, Salem District by furnishing the surveyor report within a stipulated time.

For Petitioner : Mr.N.Vijaya Basker

For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

The petitioner prays for issuing a Writ of Mandamus directing the Respondents to consider her application dated 18.02.2017 and to measure the land - Plots Nos.3 and 4 to an extent of 2,550 sq.ft (1269 sq.ft + 1281 sq.ft) comprised in Survey No.66/7, situated at Kanagagiri Village, Sankari Taluk, Salem District by furnishing the surveyor report within a stipulated time.

2. The petitioner claims that she has purchased the land comprised in Survey No.66/7 measuring an extent of 2550 square feet, situated at Kanagagiri Village, Sankari Taluk, Salem District by two registered sale deeds dated 24.09.2012 and 24.12.2012. According to the petitioner, the adjacent owner of the plot namely Mrs. Gandhimathi, after her purchase, is creating frequent disturbance and the petitioner could not peacefully enjoy the property purchased by her. In such circumstances, to assert a right and title over the land purchased by the petitioner, she has decided to put up a compound wall to ensure that there may not be any disturbance from her neighbour. For this purpose, the petitioner submitted an application on 18.02.2017 to the first respondent and also remitted the requisite fee for surveying the lands. According to the petitioner, the respondents have not inspected the lands belonged to her till date and therefore, she has filed the present writ petition.

3. I heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials placed.

4. Having regard to the above facts and circumstances of the case, without expressing any opinion on merits, the first respondent is directed to consider the application dated 18.02.2017 of the petitioner and to pass orders thereon on merits and in accordance with law as expeditiously as possible.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

1. The Tahsildar,
Sankari Taluk,
Salem District.
2. The Head Surveyor,
Office of the Sankari Taluk Office,
Sankari, Salem District.
3. The Surveyor(Land)
Ernapuram Pirkka,
Kanagagiri Village,
Sankari Taluk, Salem District.

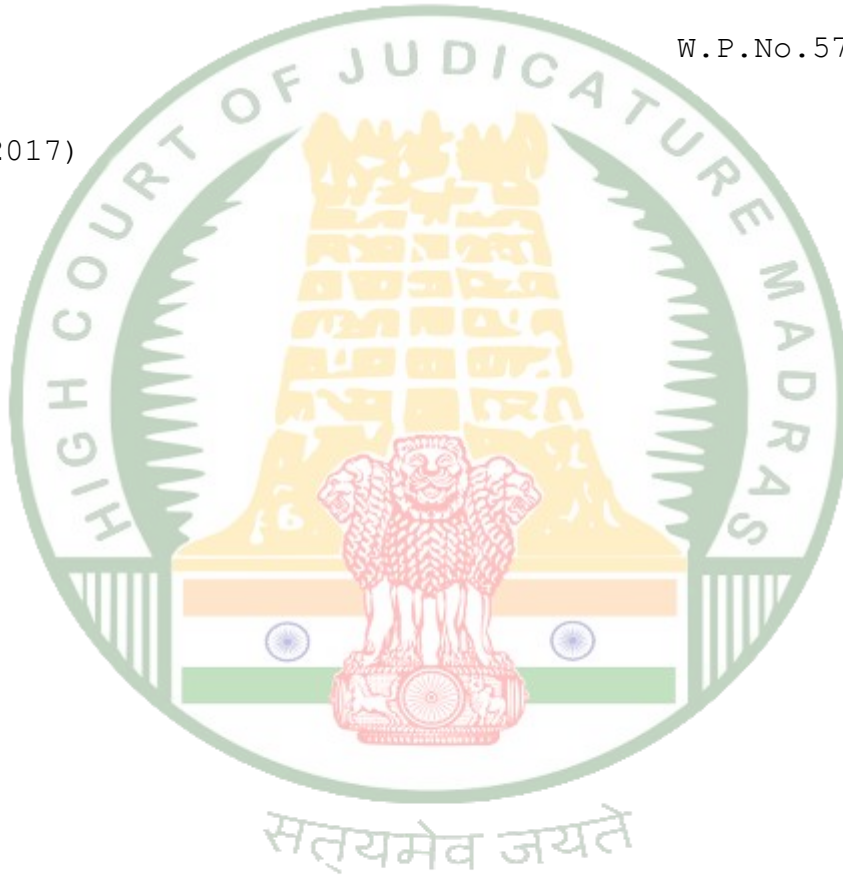
4. The Surveyor,
Kanagagiri Village,
Sankari Taluk, Salem District.

5. The Village Administrative Officer
Kanagagiri Village,
Sankari Taluk, Salem District.

+lcc to M/s.Law Vision, Advocate, S.R.No.14793
+lcc to the Government Pleader, S.R.No.15025

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SKS (CO)
CA(12/04/2017)



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