

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.22700 of 2017

V.Kalyani

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District.

2.The Tahsildar,
Harur Taluk,
Dharmapuri District.

3.The Jamabandi Officer,
Taluk Office,
Harur,
Dharmapuri District.

4.The Assistant Engineer,
Highways Department,
Morappur,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the second and third respondents to consider the representation of the petitioner dated 08.05.2013 regarding to depute the Taluk Surveyor to demarcate the boundaries in respect of House site measuring 0.05 Hectares in S.No.27/ID (Block No.27/36) in Navalai Village, Harur Taluk, Dharmapuri District assigned to the petitioner, in HSD No.901/1408 dated 16.03.1999 in her presence and to cause necessary changes in the Village Accounts Records and other records in respect of the above house site after giving an opportunity of hearing to the petitioner within the stipulated time fix by this Court and thereby direct the respondent to desist from interfering with the petitioner's possession of the above property except in accordance with law.

For Petitioner : Mr.J.Muthukumaran

For Respondents: Mr.Era.Premnath
Government Advocate

O R D E R

Mr.Era.Premnath, learned Government Advocate takes notice for the respondents. By consent, the main Writ Petition is taken up for disposal at the admission stage itself.

2.The petitioner has filed the above Writ Petition to issue a writ of mandamus, directing the respondents 2 and 3 to consider her representation dated 08.05.2013 to demarcate the boundaries in respect of House site measuring 0.05 Hectares in S.No.27/ID (Block No.27/36) in Navalai Village, Harur Taluk, Dharmapuri District assigned to her in HSD No.901/1408 dated 16.03.1999 in her presence and to cause necessary changes in the Village Account Records and other records in respect of the house site, after giving an opportunity of hearing to her within a stipulated time and thereby direct the respondents to desist from interfering with her possession of the above property, except in accordance with law.

3.The learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated 08.05.2013 to demarcate the boundaries, the respondents 2 and 3 have not completed the exercise so far. Further, the learned counsel submitted that the petitioner has paid the necessary charges for surveying the land.

4.Mr.Era.Premnath, learned Government Advocate appearing for the respondents submitted that the respondents 2 and 3 may be directed to consider the petitioner's representation dated 08.05.2013 and survey the land in accordance with law, after giving notice to all the interested parties.

5.In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the respondents 2 and 3 to consider the petitioner's representation dated 08.05.2013 for surveying and demarcating the land and pass orders in accordance with law, after giving notice to all the interested parties,

within a period of eight weeks from the date of receipt of a copy of this order.

6. With this observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

Rg/ah

To

1. The District Collector,
Dharmapuri District.
Dharmapuri.

2. The Tahsildar,
Harur Taluk, Hosur
Dharmapuri District.

3. The Jamabandi Officer,
Taluk Office,
Harur,
Dharmapuri District.

4. The Assistant Engineer,
Highways Department,
Morappur,
Dharmapuri District.

+1cc to Mr. J. Muthukumaran, Advocate sr. 61171

+1cc to Government Pleader sr. 61710

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kj (co)

ss (18/9/2017)