

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.44529 of 2016

P.Thirunavukkarasu

... Petitioner

vs.

1. The District Collector,
Coimbatore District Collector Office,
Coimbatore.

2. The Tahsildar,
Iperur Taluk Office,
Iperur Taluk,
Coimbatore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd respondent to measure the land and fix the four boundaries in Survey No.117/1, bearing Plot Nos.5 and 6 with an extent of 1898, i.e. 4 cents 156 sq. feet in Kuniyamuthur Village, Iperur Taluk, Coimbatore District based on the petitioner's representation dated 07.10.2016 to the 2nd respondent within the time stipulated by this Court.

For Petitioner : Mr.J.Pradeep

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

सत्यमेव जयते
O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 2nd respondent to measure the land and fix four boundaries in Survey No.117/1, bearing Plot Nos.5 and 6 with an extent of 1898, i.e. 4 cents 156 sq. feet in Kuniyamuthur Village, Iperur Taluk, Coimbatore District based on his representation dated 07.10.2016 to the 2nd respondent.

2. According to the petitioner, he purchased the property situated in Survey No.117/1, bearing Plot Nos.5 and 6 with an extent of 1898 sq. ft., i.e. 4 cents 156 sq. ft. in Kuniyamuthur Village, Iperur Taluk, Coimbatore on 27.06.2014 from one Anbuchelvan and the same was registered at Rajaveethi Joint

No.II Sub Registrar Office, as Document No.2838/2014. He also obtained patta for the said property vide Patta No.1804.

3. The case of the petitioner is that due to financial crisis, when he attempted to sell the said property, the proposed buyers insisted that the petitioner fixes four boundaries in his land. Hence, the petitioner made an application to the respondent to survey and measure the said land and he also paid necessary fees in that regard. Thereafter, enclosing a copy of the payment receipt, the petitioner made an application to the respondents on 07.10.2016 seeking to survey the land in Survey No.117/1, bearing Plot Nos.5 and 6 with an extent of 1898 sq. ft. Since no reply is forthcoming on the said representation, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the 2nd respondent to consider the petitioner's representation dated 07.10.2016 on merits and in accordance with law, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

sd/
Assistant Registrar

//True Copy//

Sub Assistant Registrar

aeb
To:

1. The District Collector,
Coimbatore District Collector Office,
Coimbatore.

2. The Tahsildar,
Iperur Taluk Office,
Iperur Taluk,
Coimbatore.

+1cc to Mr.J.Predeep, Advocate, Sr.No.509.

+1cc to the Government Pleader Sr.No.432.

W.P.No.44529 of 2016

SK(CO)
GN(25/01/2017)