



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 10.07.2017

CORAM:

**THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM**

**W.P. (MD) No. 6371 of 2017**

**and**

**W.M.P (MD) No. 5018 of 2017**

Mohamed Seraaj

.. Petitioner

-Vs-

The Tahsildar,  
Office of the Thasildhar,  
Thanjavur.

... Respondent

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to allocate an authorized land surveyor to survey the land of the petitioner's mother based on the representation dated 30.01.2017 by the petitioner.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.G.Muthukannan  
Government Advocate

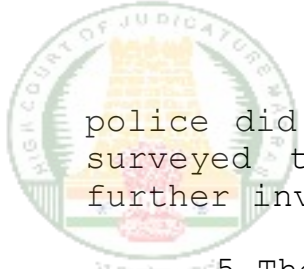
### **O R D E R**

The petitioner has come up with this writ petition for issuance of Writ of Mandamus to direct the respondent to allocate an authorized land surveyor to survey the land of the petitioner's mother, based on his representation, dated 30.01.2017.

2. Heard Mr.C.D.Sugumar, learned counsel for the petitioner. Mr.G.Muthukannan, learned Government Advocate takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that his mother Late.K.A.Fathima Beevi had purchased a land property in plot Nos.45,46,47,48 and 49 in Road No.19, comprised in Survey Nos.8,9,20,21,22,23 and 24 situated at Villar Panchayat, No.153, Villar Division, Thanjavur Taluk in the Sub Registration District of Thanjavur, through a registered sale deed, dated 23.04.1975.

4. According to the petitioner, his mother had been in possession and enjoyment of the property till her death. The petitioner would further states that his mother had also executed a power of attorney in favour of the petitioner, on 08.11.2012 to maintain the property. It is alleged that the property was encroached by one educational institution in Thanjavur. Though the petitioner lodged a complaint dated 13.01.2016 to the Inspector of Police, Anti Land Grabbing Cell, Thanjavur for appropriate action against the said private educational institution, the respondent



police did not take action due to the reason that the land was not surveyed to ascertain the encroachments of the institution for further investigation.

5. The petitioner would state that he made an application, dated 14.01.2016 to the respondent to fix a surveyor to measure the property and fix boundary lines. Despite of the receipt of the representation, dated 10.02.2017, so far no action was taken. Hence, this present writ petition.

6. Considering the limited prayer sought for in this writ petition, this Court without going to the merits of the case, directs the respondent to take appropriate action on the representation of the petitioner, dated 30.01.2017 and pass appropriate orders within a period of six weeks from the date of receipt of the copy of this order.

7. With the above direction, this writ petition is **disposed of**. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (Record)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,  
Office of the Thasildhar,  
Thanjavur.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.64539  
+1cc to Mr.C.D.SUGUMAR Advocate in SR. No.64697

DAS/PJL  
JS/KP/SAR.1/24.7.2017/2P-4C

**W.P. (MD) No.6371 of 2017**  
**10.07.2017**