



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 17.04.2017

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.6849 of 2017

M.Jayaraman

..Petitioner

Vs

1.The Assistant Director of Land Survey,
Collectorate,
Sivagangai,
Sivagangai District.

2.The Head Surveyor,
Tahsildar Office Campus,
Illayankudi,
Sivagangai District- 630 702.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to survey and mark the boundaries of the Petitioner's land in S.No.155/5 situated in Katchathanallur Village, Elayankudi Taluk, Sivagangai District within the time stipulated by this Court based on the application dated 22.01.2016 and the subsequent representation dated 21.3.2016 within the time stipulated by this Court.

For Petitioner :Mr.R.Karunanidhi

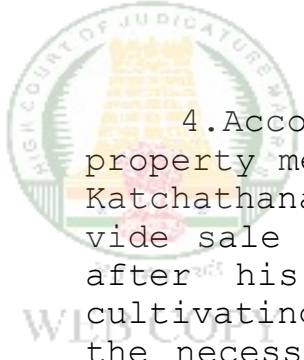
For Respondents :Mr.K.Mahesh Raja,
Government Advocate

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the second respondent to survey and mark the boundaries of the Petitioner's land in S.No.155/5 situated in Katchathanallur Village, Elayankudi Taluk, Sivagangai District within the time stipulated by this Court based on the application, dated 22.01.2016 and the subsequent representation, dated 21.3.2016 within the time stipulated by this Court.

2.Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents.

<https://hcservices.equib.gov.in/hcservices>
3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.



4. According to the Petitioner, his father purchased the property measuring an extent of 99 cents in S.No.155/5 situated in Katchathanallur Village, Elayankudi Taluk, Sivagangai District vide sale deed, No.874 of 1999. His father died on 2.5.2008 and after his demise, the Petitioner and his brothers were cultivating the said lands. On 22.1.2016, the Petitioner had paid the necessary fees for surveying the above said land, since the boundary was not properly fixed. The Petitioner is said to have sent a representation in this connection on 21.3.2016 and the Petitioner had also paid the necessary amount for surveying the land on 22.2.2016 itself. However, till date, the second respondent has not taken any action on his application for surveying the land and fixing the boundary. Hence the Petitioner has come forward with the present Writ Petition.

5. The learned Government Advocate appearing for the respondents would submit that he has no objection for giving such direction as sought for by the Petitioner within the time specified by this Court.

6. In view of the submissions made on either side, this Court directs the second respondent to survey and fix the boundaries of the subject property in S.No.155/5 situated in Katchathanallur Village, Elayankudi Taluk, Sivagangai District based on the representation/application of the petitioner dated 22.1.2016 and 21.3.2016, after giving notice to the interested parties, if any, and shall carry out the said exercise within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar.

To

1. The Assistant Director of Land Survey,
Collectorate, Sivagangai, Sivagangai District.

2. The Head Surveyor, Tahsildar Office Campus, Illayankudi,
Sivagangai District- 630 702.

+1CC to M/S.R.Karunanidhi, Advocate, SR.No. 52284

+1CC to the Special Government Pleader SR.No. 52247

W.P (MD) No.6849 of 2017

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