

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9717 of 2018

M/s Future Gaming and Hotel Services Pvt Ltd
rep.by its Authorised Signatory Mr.E.Basker
No.54, Mettupalayam Road
GN Mills Post
Coimbatore 641 029

.. Petitioner

-vs-

1. Town Sub Inspector of Survey
South Zone
Coimbatore Corporation
Coimbatore

2. Tahsildar
Coimbatore South Taluk
Coimbatore

3. K.Shahul Hameed @ Irfan

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 2 herein to measure and determine the boundaries of land bearing Survey No.277 of Coimbatore Rural in Coimbatore South Taluk, Coimbatore District, now T.S.Nos.1, 2 & 3 in Block No.3, Ward No.42 of Coimbatore Corporation (South Zone) within the period stipulated by this Hon'ble Court.

For Petitioner :: Mr.G.Sankaran

For Respondents :: Ms.S.Ramya Revathi
Government Advocate for R1 & 2

ORDER

The petitioner, M/s Future Gaming and Hotel Services Private Limited, Coimbatore has come to this Court seeking issuance of a writ of mandamus, directing the respondents 1 and 2 herein to measure and determine the boundaries of land bearing Survey No.277 of Coimbatore Rural in Coimbatore South Taluk, Coimbatore District, now T.S.Nos.1, 2 & 3 in Block No.3, Ward No.42 of Coimbatore Corporation (South Zone) within the period stipulated by this Hon'ble Court.

2. Learned counsel for the petitioner submitted that the petitioner had purchased 2 Acres, 90 Cents of land comprised in Survey Nos.276/1, 277 & 348 of Coimbatore Village through a sale deed bearing Document No.6393 of 2010 dated 19.3.2010 from the legal heirs of late C.N.Rajagopalan. After the petitioner became the absolute owner of the said property, it is pleaded that the third respondent, who is also in possession of an adjoining land by putting up a small hut for the past 1½ years, suddenly occupied the petitioner's land on the northern side and also started storing building materials. Immediately the petitioner has given a police complaint on 2.4.2018 against the third respondent before the Pothanur Police Station, Coimbatore. In the meanwhile, the police officials also advised the petitioner to take appropriate action to measure the land through a Government Surveyor. Immediately the petitioner also has given a representation to the Tahsildar, Coimbatore South Taluk, the second respondent herein to measure the property, who in turn directed the petitioner to approach the Town Sub Inspector of Survey, South Zone, Coimbatore Corporation, the first respondent herein. Accordingly, they have approached the first respondent and also paid the necessary charges for the measurement of their land. But till date, no improvement has taken place. Hence the petitioner has come to this Court.

3. The learned Government Advocate for the respondents 1 & 2 sought four weeks time to complete the exercise.

4. This Court hereby directs the first respondent to measure the land bearing Survey No.277, now T.S.Nos.1, 2 & 3 in Block No.3, Ward No.42 of Coimbatore Corporation (South Zone), after giving notice to the petitioner and the third respondent, within a period of four weeks from the date of receipt of a copy of this order. Till the measurement of the land in question is done, the parties are directed to maintain status quo, as directed in this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.11634 of 2018 is closed. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

SS

To

1. TheTown Sub Inspector of Survey
South Zone
Coimbatore Corporation
Coimbatore

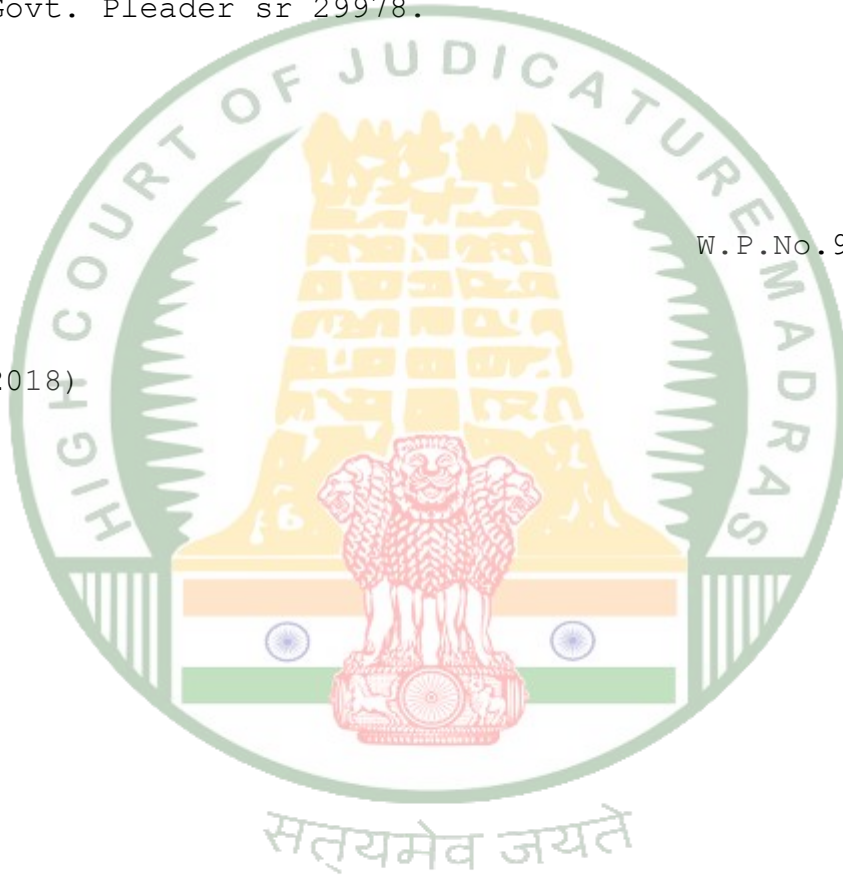
2. The Tahsildar
Coimbatore South Taluk
Coimbatore

+1 CC to Mr.G. Sankaran, Advocate sr 29370.

+1 CC to Govt. Pleader sr 29978.

W.P.No.9717 of 2018

NRL (CO)
SP (03/05/2018)



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