

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11407 of 2018 and
WMP.No.13315 of 2018

R.S.Shanmugam

.. Petitioner

-vs-

1. The Tahsildar,
Coimbatore South Taluk,
Coimbatore District.

2. The Commissioner,
Coimbatore Municipal Corporation,
Raja Street, Coimbatore.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to survey the boundaries of the land comprised in S.F.No.657, Uppilipalayam Village, Coimbatore Taluk, Coimbatore to an extent of 25 Cents, in so far as the petitioner property is concern, as per the Document and further direct the 2nd respondent to issue Town Survey Land Register in the name of the petitioner.

For Petitioner :: Mr.A.K.Jayaraj

For Respondents :: Mr.D.Suryanarayanan,
Addl. Govt. Pleader

ORDER

The Writ Petition has been filed seeking to issue of a Writ of Mandamus, directing the respondents to survey the boundaries of the land comprised in S.F.No.657, Uppilipalayam Village, Coimbatore Taluk, Coimbatore, to an extent of 25 Cents, in so far as the petitioner property is concerned, as per the Document bearing Registration No.2665 of 1925 dated 29.8.1925 and for further direction to the 2nd respondent to issue Town Survey Land Register in the name of the petitioner.

2. Learned Counsel appearing for the petitioner submitted that the petitioner is the owner of the land comprised in

S.F.No.657, Uppilipalayam Village, Coimbatore Taluk, Coimbatore to an extent of 25 Cents by virtue of the Registered Sale Deed bearing Registration No.2665 of 1925 dated 29.8.1925 and he has applied to the 1st and 2nd respondents to survey the boundaries of his said land on 10.6.2017 and 13.6.2017 respectively. But there is no response for the same. Hence the present Writ Petition.

3. The learned Counsel for the petitioner further submitted that along with the said applications, the petitioner has also enclosed a copy of the Sale Deed dated 29.8.1925, Death Certificate of Subbiya Devar, his father dated 1.4.1996, Legal Heirship Certificate dated 14.5.2008 of his father and a copy of the Survey Remittance Challan and Aadhaar of the petitioner.

4. Learned Additional Government Pleader, who takes notice for the respondents sought for sufficient time to consider the pending representation of the petitioner by the Tahsildar, Coimbatore South Taluk, Coimbatore District.

5. Placing on record the request of the learned Additional Government Pleader, the 1st respondent herein, namely, the Tahsildar, Coimbatore South Taluk, Coimbatore District, is hereby directed to consider the representation of the petitioner dated 13.6.2017 along with other documents, namely, a copy of the Sale Deed dated 29.8.1925, Death Certificate of Subbiya Devar, petitioner's father dated 1.4.1996, Legal Heirship Certificate dated 14.5.2008 and a copy of the Survey Remittance Challan and Aadhaar of the petitioner and to dispose of the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order. It is made clear that till the survey of the petitioner's land is done, the 1st respondent shall maintain status-quo as on today.

6. With the above observation and direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1. The Tahsildar,
Coimbatore South Taluk,
Coimbatore District.

2. The Commissioner,
Coimbatore Municipal Corporation,
Raja Street, Coimbatore.

+1cc to Mr.K.Chozhan, Advocate, sr.no.32442

W.P.No.11407 of 2018

RV (CO)

RRK (23/05/18)



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