

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.31339 of 2018

H.Naresh Chand Sharma
S/o. Hasinda Ram
Rep.by his General Power of Attorney
P.K.Naresh Kumar

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Thiruvallur Taluk,
Thiruvallur District.
2. The State Rep.by Inspector of Police,
Anti Land Grabbing Special Cell,
Thiruvallur District.
3. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur Taluk Office,
Thiruvallur District.
4. Mr.Balasamy

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent herein to survey the petitioner's vacant house site plots bearing Nos.3,4,5 and 6 having total extent of 9425 square feet comprised in Survey No.15/2 situated in Tirupandhiyur Village, Thiruvallur Taluk, Thiruvallur District and fix boundaries stone in the petitioner's property and send necessary report to the 1st respondent herein to take necessary action on the complaint made by the petitioner on 13.08.2018 before 1st respondent herein.

For Petitioner : Mr.L.Muthusamy
For Respondents 1 to 3 : Mr.E.Balamurugan
Special Government Pleader

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this Writ Petition is for the issuance of a Writ of Mandamus to direct the 3rd respondent to survey the petitioner's vacant house site plots bearing Nos.3,4,5 and 6 measuring to an extent of 9425 square feet comprised in Survey No.15/2 situated at Tirupandhiyur Village, Thiruvallur Taluk, Thiruvallur District and fix the boundaries stone in his property.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 23.08.2018 for surveying his land and fixing boundaries, but, the same is yet to be disposed of by the third respondent. It is stated that the petitioner has paid necessary charges to survey his property vide challan dated 23.08.2018. Hence, the petitioner is before this Court.

4. Heard Mr.E.Balamurugan, learned Special Government Pleader on behalf of the respondents 1 to 3.

5. It is the fact that there is dearth of surveyors in many of the Taluk Offices and there are many petitions and requests as that of the petitioner herein waiting their properties to be surveyed. It is also stated by the petitioner that the Inspector of Police, Anti Land Grabbing Special Cell has already recommended to the Tahsildar, Head Surveyor, Thiruvallur District /3rd respondent to survey the land in the petition mentioned property and demarcate the same as early as on 27.08.2018. Hence, the 3rd respondent is directed to have a list of such requests and conduct the survey as per the order of priority. However, any such request for survey of the land shall be done, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner and fourth respondent herein and also affording an opportunity of hearing to the petitioner, fourth respondent herein and others, if any interested in the matter.

6. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

av/rsi
To

1. The Deputy Superintendent of Police,
Thiruvallur Taluk,
Thiruvallur District.
2. The Inspector of Police,
Anti Land Grabbing Special Cell,
Thiruvallur District.
3. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur Taluk Office,
Thiruvallur District

+1cc to Mr.L.Muthusamy, Advocate, S.R.No.81294

+1cc to the Government Pleader, S.R.No.81725

W.P. No.31339 of 2018

MP (CO)
GSP (03/01/2019)

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