

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.15290 of 2005

1. Mani Alias Sivasubramanian(deceased)
2. Ezhilarasi @ Arasi
3. T.S.Mahalakshmi
4. T.S.Anitha Petitioners
(petitioners 2 to 4 are substituted as LRs
of the deceased first petitioner)

Vs.

1. The Director of Survey and Land Records,
Pondicherry.
2. The Inspector of Land Survey
Department of Survey and Land records,
Pondicherry.
3. Muthukrishnan Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to survey and fix the boundaries in accordance with law pursuant to the survey notice in NO.IOS/I/D2/373/04 dated 01.12.2004 on the file of the Inspector of Survey and Land Records, Pondicherry.

For petitioners : D. Rajagopal

For Respondents : Mr. I. Sathish,
AGP, for R1 & R2

: Mr. R. Natarajan,
for R3

O R D E R

This writ petition has been filed seeking a direction to the respondents to survey the petitioners land.

2. According to the petitioners, the first petitioner has filed an application before the respondents 1 and 2 to survey the land in Survey Nos.153/2, 162/2 Reddiarpalayam Revenue Village, Oulgaret Cmmune Panchayat, Pondicherry, but the petitioners' lands have not been surveyed. Hence, the present writ petition has been filed.

3. It is seen that the application has been filed in the year 2004 and now after a lapse of 15 years, the parties are not in a position to say whether the lands have been surveyed or not.

4. In the above circumstances, if the petitioners still want to survey their lands, it is always open to them to file a fresh application before the respondents, on filing any such application, the respondents are directed to consider the application for survey.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Director of Survey and Land Records,
Pondicherry.

2. The Inspector of Land Survey
Department of Survey and Land records,
Pondicherry.

+1cc to Mr.R.Nataraja, Advocate SR.82876
+1cc to the Government Pleader SR.83207

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(CO)
CB(22/11/2019)