

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.7975 of 2019

Palanivel

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Kallakuruchi Taluk,
Villupuram District.

2. The Tahsildar,
Taluk Office,
Chinnasalem Taluk,
Villupuram District.

3. The Inspector of Police,
Chinnasalem Police Station,
Chinnasalem Taluk,
Villupuram District.

4. R.Saraswathy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 2nd and 3rd respondents to survey the land bearing S.No.204/1 with extend of 4.14 acres Thottiyam Village, Kallakurichi Taluk, Villupuram District until pending disposal of the 1st respondent proceedings dated 15.02.2019 made in Na.Ka.A2/2568/2018 on the file of 1st respondent.

For Petitioner : Mr.M.Sudhan

For Respondents: Mr.R.Govindasamy
Special Government Pleader
for R1 to R3

O R D E R

This Writ Petition is filed seeking for a Mandamus, forbearing the respondents 2 and 3 to survey the land bearing S.No.204/1 with extend of 4.14 acres Thottiyam Village, Kallakurichi Taluk, Villupuram District until pending disposal of the 1st respondent proceedings dated 15.02.2019.

2. The petitioner claims to be the adjacent owner to the property purchased by the 4th respondent from one Jayaraman. It seems that the 4th respondent has approached this Court and filed a writ petition in W.P.No.25766 of 2018, seeking for a Mandamus, directing the 2nd respondent namely, the Tahsildar therein to survey the land comprised in Survey No.204/1 measuring an extent of 4.14 acres at Thottiyam Village, Chinnasalem Taluk with the help of the Taluk Surveyor, fix the boundaries for the land and issue joint patta in the name of the petitioner and her sister Chinnathaayi.

3. It is further seen that the said representation was disposed of on 08.10.2018, by directing the Tahsildar to consider the representation of the petitioner therein (4th respondent herein) and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner therein as well as the interested parties, if any. Based on the said order, when the authorities are trying to survey and measure the property, the present writ petition is filed by the petitioner.

4. I do not think that the prayer sought for in this writ petition can be entertained in view of the order already passed in W.P.No.25766 of 2018 dated 08.10.2018. Needless to say that if the petitioner has any grievance against such survey, it is for him to place all the materials before the Tahsildar, who in turn will consider and pass appropriate orders as directed by this Court in the said writ petition. Therefore, I find that the present writ petition is totally misconceived. Accordingly, the same is dismissed, without expressing any view on the merits as expressed by the petitioner. No costs.

sni/vsi

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Kallakuruchi Taluk,
Villupuram District.
2. The Tahsildar,
Taluk Office,
Chinnasalem Taluk,
Villupuram District.
3. The Inspector of Police,
Chinnasalem Police Station,
Chinnasalem Taluk,
Villupuram District.

+1cc to the Govt.Pleader, Vide Sr.No.29776

W.P.No.7975 of 2019

Kak(14/05/2019)