

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.39319 of 2016

S.Lakshmi

.. Petitioner

Vs.

1. The Revenue Tahsildar,
Revenue Department,
Gingee Taluk,
Villupuram District.

2. The Head Taluk Surveyor,
Revenue Department,
Gingee Taluk,
Villupuram District.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to measure/Survey and demarcate the boundary of the petitioner's property comprised in Natham Survey No.40.19, measuring an extent of 0.079 sq.mt. located at Vadaputhur Village, Kalaiyur Post, Gingee Taluk, Villupuram District based on the fee remitted on 06.08.2014 and their welfare Revenue Records.

For Petitioner : Mr.K.Maheshwaran

For Respondents: Ms.R.Janaki
Additional Government Pleader

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O R D E R

The prayer sought for in this Writ Petition is for a direction to the respondents herein to measure/Survey and demarcate the boundary of the petitioner's property comprised in Natham Survey No.40.19, measuring an extent of 0.079 sq.mt. located at Vadaputhur Village, Kalaiyur Post, Gingee Taluk, Villupuram District based on the fee remitted on 06.08.2014 and their welfare Revenue Records.

2. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 06.08.2014 to the first respondent seeking to survey and demarcate the boundary of her property comprised in Natham Survey No.40.19, measuring an extent of 0.079 sq.mt. Since the respondents have not made any attempt to survey and demarcate the boundary of her plot, she made another representation dated 16.03.2015 to the first respondent and to the District Collector, Villupuram District for taking appropriate action to survey her land. As the same did not evoke any response, she made another representation dated 16.07.2015 to the Commissioner, Revenue Department, Chepauk, Chennai, who in turn forwarded the same to the Director, Land and Survey Department, Chennai and to the District Collector, Villupuram vide letter dated 19.08.2015 for taking appropriate action. The Assistant Director, District Land and Survey Department, Villupuram on 17.08.2015 has directed the first respondent to take appropriate action for surveying her land. But till date no action has been taken by the first respondent to survey her land. It is stated that the petitioner has also paid necessary charges to survey her land vide challan dated 06.08.2014. Hence, the petitioner has filed this Writ Petition seeking for the relief stated supra.

3. Heard Mr.K.Maheshwaran, learned counsel appearing for the petitioner and Ms.R.Janaki, learned Additional Government Pleader appearing for the respondents.

4. It is the fact that there is a 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. Hence, the first 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, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rsi

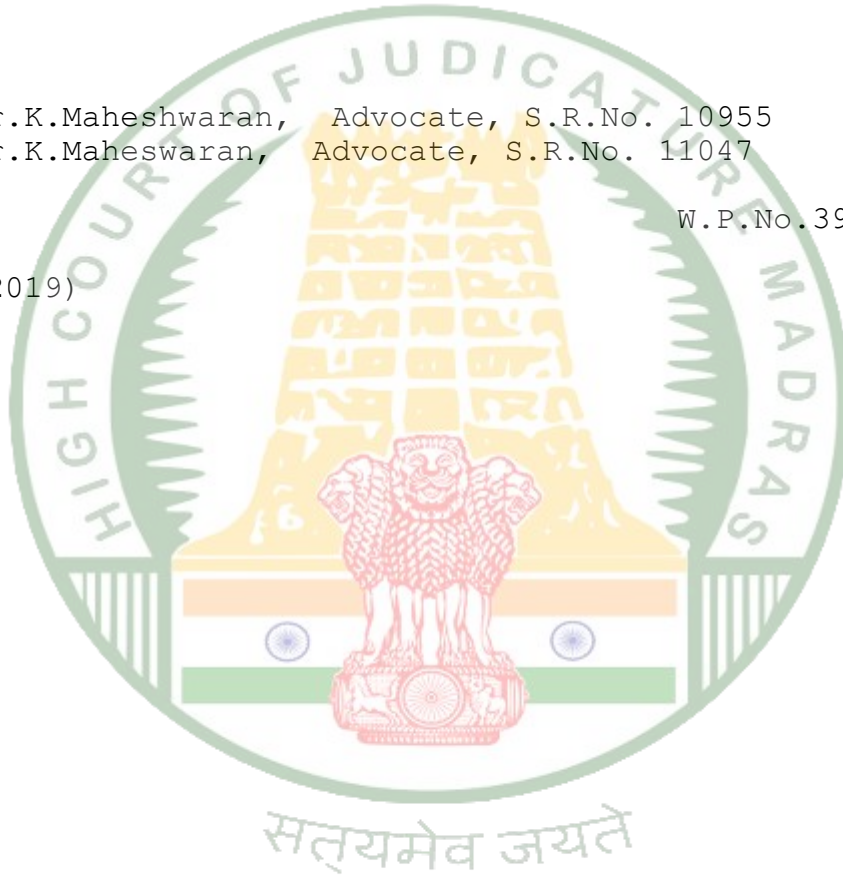
To

1. The Revenue Tahsildar,
Revenue Department,
Gingee Taluk,
Villupuram District.
2. The Head Taluk Surveyor,
Revenue Department,
Gingee Taluk,
Villupuram District.

+1cc to Mr.K.Maheshwaran, Advocate, S.R.No. 10955
+1cc to Mr.K.Maheshwaran, Advocate, S.R.No. 11047

W.P.No.39319 of 2016

VBA(CO)
GN(11/03/2019)



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