

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.33999 of 2018

D.Venkatesan

.. Petitioner

Vs.

1. The Tahsildar,
Taluk Office, Madhavaram,
Chennai - 600 060.

2. The Surveyor,
Taluk Office, Madhavaram,
Chennai - 600 060.

.. Respondents

PRAYER: The Writ Petition has been filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to consider the petitioner's petition and measure the land and fix the boundary with erection the stone is land situated in Kathirvedu Village bearing S.No.66/3A1.

For Petitioner : Mr.G.Saravanabhavan

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

The present Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 03.11.2018 to survey the land and lay boundary stones on the petitioner's property situated in Kathirvedu Village bearing S.No.66/3A1.

2. The learned counsel appearing for the petitioner submits that the said land originally belongs to his father namely, Dhamodharan. After demise of his father, the petitioner and his family members have got rights as legal heirs and they are jointly enjoying the property without any encumbrance. He further submits that the petitioner could not be able to find the boundary of the land and also faced some difficulties to measure the land. He has made a representation on 03.11.2018 before the 1st respondent/Tahsildar, Taluk Office, Madhavaram, to survey the land and lay boundary stones, but, the same is yet to

be considered by the respondents.

3. Heard Mr.V.Shanmugasundar, learned Special 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 are waiting for their properties to be surveyed. Hence, the first respondent/Tahsildar, Taluk Office, Madhavaram, 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 four (4) weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Taluk Office, Madhavaram,
Chennai - 600 060.

2. The Surveyor,
Taluk Office, Madhavaram,
Chennai - 600 060.

+1cc to Mr.G.Saravanabhavan, Advocate, S.R.No.7787

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GN(07/02/2019)