



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.06.2019

CORAM:
THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No. 13540 of 2019

Mayan

... Petitioner

Vs.

1. The Tahsildar
Taluk Office,
Andipatti Taluk, Theni District.

2. The Surveyor
Taluk Office,
Andipatti Taluk, Theni District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to survey and demarcate the boundaries of the petitioner's land bearing Survey No.1301/1 and Survey No.1301/4 situated at Megamalai Village, Anna Nagar, Kadamalaigundu Sub Division, Andipatti Taluk, Theni District.

For Petitioner : Mr.R.Murugan

For Respondent : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

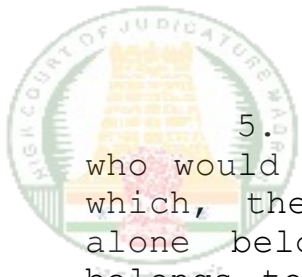
ORDER

The prayer in the writ petition is for a Writ of Mandamus to direct the respondents to survey and demarcate the boundaries of the petitioner's land bearing Survey No.1301/1 and Survey No.1301/4 situated at Megamalai Village, Anna Nagar, Kadamalaigundu Sub Division, Andipatti Taluk, Theni District.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

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

4. The petitioner, in order to survey and demarcate the boundaries of the land in S.Nos.1301/1 and 1301/4, made an application to the second respondent Tahsildar on 10.01.2019 and 03.06.2019. Since the same has not been considered, the petitioner is before this Court with this writ petition.



5. I have heard the learned Additional Government Pleader, who would submit that, with regard to the two survey numbers, for which, the prayer sought for herein, out of which, S.No.1301/1 alone belongs to the petitioner and the land in S.No.1301/4 belongs to his father. Hence, since the petitioner's father has to make an application, without which, the request made by the petitioner with regard to S.No.1301/4 cannot be considered, but insofar as the land that belongs to the petitioner in S.No.1301/1, the same would be considered and necessary steps would be taken to survey and demarcate the boundaries.

6. I have considered the submissions made by the learned Additional Government Pleader appearing for the respondents and considering the same, this writ petition is disposed of with the following direction:

"That the first respondent is directed to consider the representation of the petitioner dated 03.06.2019 and take steps to survey and demarcate the boundaries of the petitioner's land in S.No.1301/1 at Meghamalai Village. Insofar as the S.No.1301/4 is concerned, since admittedly it belongs to the petitioner's father, the same can be decided, provided, if any such application is filed by the petitioner's father. The needful as indicated above shall be undertaken by the first respondent and final orders be passed within a period of eight weeks from the date of receipt of a copy of this order." No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

RR

To

1. The Tahsildar
Taluk Office,
Andipatti Taluk, Theni District.

2. The Surveyor
Taluk Office,
Andipatti Taluk, Theni District.

+ 1 CC to The Special Government Pleader SR.No.69440

+ 1 CC to Mr.R.Murugan, Advocate in Sr.No.69039

W.P. (MD) No.13540 of 2019