

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 29.08.2019****CORAM:****THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR****W.P. (MD) No.18802 of 2019**

M.R.Rajendiran

... Petitioner

Vs.

1.The Tahsildar,
Thiruvaiyaru Taluk,
Thiruvaiyaru,
Thanjavur District.

2.The Circle Surveyor,
Thiruvaiyaru Taluk,
Thanjavur District.

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct survey, measurement and fix boundaries of the petitioner's plot Nos.1 to 36 comprised in Survey Nos.132/2 and 3 in Manakarambai Village, Thiruvaiyaru Taluk, Thanjavur District, within a reasonable time.

For Petitioner : Mr.P.Vadivel

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP

ORDER

The prayer sought for in this Writ petition is for a Writ of Mandamus, directing the respondents to conduct survey and fix boundaries of the petitioner's Plot Nos.1 to 36 comprised in Survey Nos.132/2 & 3 at Manakarambai Village, Thiruvaiyaru Taluk, Thanjavur District, within a time frame.

2.Heard Mr.P.Vadivel, learned counsel for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.In order to measure the above siad land and identify the four boundaries, the petitioner has made an application by paying the necessary fees on 10.10.2017 to the respondents and thereafter, it seems that no attempt has been made by the respondents to survey the land. The neighbouring land owner seems to have not been cooperated and in this context, even though notice has been given by the Revenue Inspector on 29.04.2019. Still the neighbouring land owners or adjacent land owner has not given cooperation. Therefore, the issue is still pending.



4. In this context, the petitioner has also given a representation on 02.04.2019. Therefore, the learned counsel appearing for the petitioner would submit that, the said representation along with the earlier representation submitted by the petitioner, if it is directed to be considered by the respondents and final orders is passed as sought for, within a time frame, the petitioner would be satisfied.

5. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the said applications of the petitioner dated 10.10.2017 and 02.04.2019 would be considered and decided and needful would be done within a time frame to be stipulated by this Court. He also submitted that if the adjacent land owners do not cooperate with the revenue officials, suitable direction may be given permitting the revenue officials to proceed in accordance with law.

6. Having regard to the said submissions made by both sides by taking into account the factual matrix of this case, with the consent of both sides, this Writ petition is disposed of at the admission stage with the following direction:

That the first respondent is hereby directed to act upon on the application of the petitioner dated 10.10.2017 as well as the latest representation dated 15.04.2019 by giving notices to the petitioner as well as the adjacent land owners of the land in question, which is sought to be measured and once such notice is given, if any of the party do not cooperate, unmindful of the same or notwithstanding the same, the revenue authorities can proceed and complete the task and accordingly final orders can be passed, within a period of 6 weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

Nbj

To

1. The Tahsildar,
Thiruvaiyaru Taluk,
Thiruvaiyaru,
Thanjavur District.



2.The Circle Surveyor,
Thiruvaiyaru Taluk,
Thanjavur District.

+2CC TO MR.P.VADIVEL, Advocate Sr. No. 84333 & 84290
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 84585

W.P. (MD) No.18802 of 2019
29.08.2019

MR (CO)
TR (03.12.2019) 3P 6C