

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32844 of 2013

V. Ramachandran

... Petitioner

.vs.

1. The District Collector,
Collectorate Multi Department Complex,
Jayakondam Road,
Ariyalur District - 621 704.
2. The Tahsildhar,
Jayakondam,
Ariyallur District - 621 802.
3. The Taluk Surveyor,
Taluk Office,
Jayakondam, Ariyalur District - 621 802. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to dispose of the representation dated 18.07.2013 and 09.10.2013 for resurveying the lands comprised in various survey numbers mentioned in the application dated 18.07.2013 and 09.10.2013 and to erect boundary stones in each and every field in accordance with the Revenue Standing Order, the costs for which shall be borne by himself.

For Petitioner : Ms.T.Hemalatha

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

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ORDER

This writ petition is heard through Videoconferencing, on account of the COVID-19 pandemic situation.

2. The writ petition has been filed seeking a direction to the respondents to dispose of the representation dated 18.07.2013 and 09.10.2013 for resurveying the lands comprised in

various survey numbers mentioned in the application dated 18.07.2013 and 09.10.2013 and to erect boundary stones in each and every field in accordance with the Revenue Standing Order, the costs for which shall be borne by himself.

3. In the counter affidavit dated 01.01.2014, in paragraph No.9, it is stated that at the request of the petitioner, the land in S.F.No.126/23C was measured and demarcated on 18.01.2014. However, a perusal of the first representation dated 18.07.2013 given by the petitioner shows that there is a request for survey of S.F.Nos.192/7, 8A, 9, 12, 15A, 16, 18 and 19A, 131/8, 257/5K and 126/23C in Perumpalayam Village, Udayarpalayam Taluk, which fall within the jurisdiction of Jayankondam Sub Registrar Office, and in the representation dated 09.10.2013, survey of S.No.391/10 was requested for.

4. The learned Special Government Pleader also submitted that the survey has been done for S.F.No.126/23C after issuing notice to the parties concerned and demarcation has been completed.

5. However, it is stated in the counter affidavit in Paragraphs 6 & 9 that the re-survey, identification and demarcation of the land in S.F.No.126/23C was done immediately and the lands of the petitioner will be measured, surveyed, identified and demarcated on 18.01.2014. Even presuming that the said work is completed for a particular survey number, i.e., S.F.No.126/23C, as the petitioner has made a request for the other survey numbers, the respondents 2 and 3 are directed to complete survey and demarcate the lands as and when the petitioner makes a fresh application.

6. It is stated by the learned Special Government pleader that the application has to be made through On-line after remitting appropriate fees for the same. Once a fresh application is filed and the fees is remitted by the petitioner, the respondents are directed to survey, demarcate and lay the boundary stones as required by the petitioner, after issuing notice to the parties concerned and affording them an opportunity of personal hearing.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

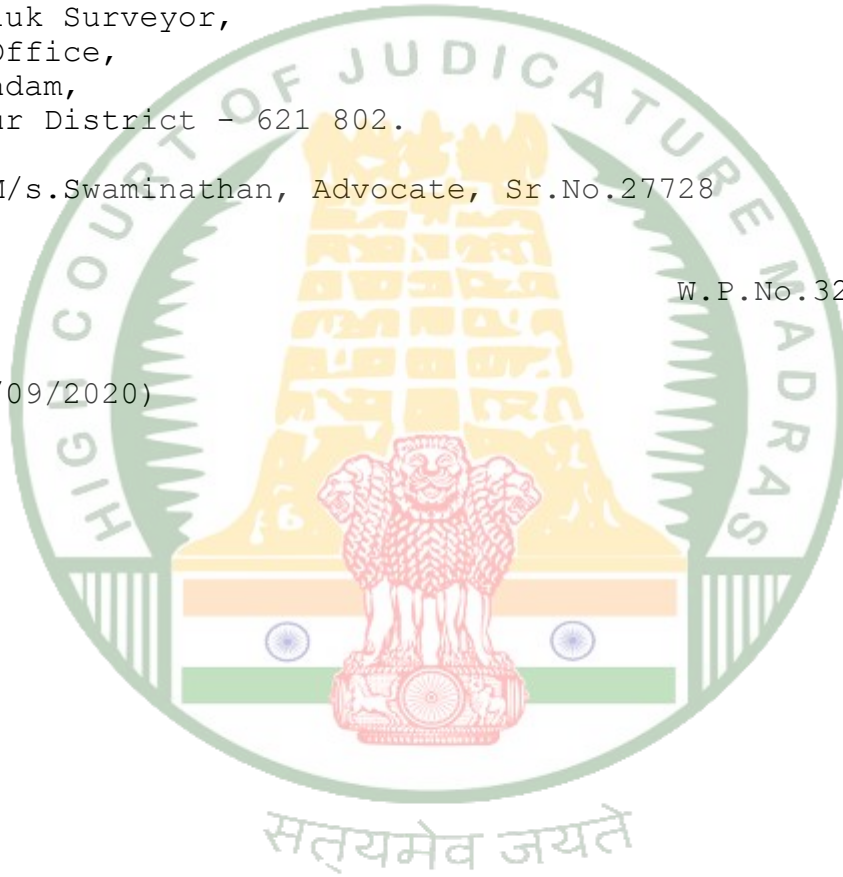
To

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+2 cc to M/s.Swaminathan, Advocate, Sr.No.27728

W.P.No.32844 of 2013

mr (co)
rr ii (11/09/2020)



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