

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9799 of 2020
and WMP.No.11915 of 2020

M.Janaki,
W/o.Manokar.

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Kallakurichi Town and Taluk.

2.The Tahsildar,
Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

3.The Village Administrative Officer,
Village Administrative Office,
Mookanur Village,
Sankarapuram Town and Taluk,
Kallakurichi District.

4.The Taluk Land Surveyor,
Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents to measure the lands comprised in Survey Nos.25/9C5 and 25/1D, Ulakudaiyaampattu Village, Sankarapuram Taluk, Kallakurichi District by fixing the boundaries, on the basis of the petitioner's representation dated 21.05.2020 and pass orders.

For Petitioner : Mr.P.Valliappan

For Respondents : Mr.S.N.Parthasarathi,
Government Advocate.

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus directing the respondents to measure the property and fix the boundary stones, based on the representation of the petitioner on 21.05.2020.

2.The case of the petitioner is that he is the absolute owner of the subject property and the petitioner claimed her right under two settlement deeds dated 07.06.2020 and 03.08.2016. The further case of the petitioner is that her title was further affirmed by a judgment and decree passed by the competent civil court.

3.The petitioner made a representation on 21.05.2020 to the respondents requesting them to measure the property based on her title deeds and fix the boundary stones.

4.The grievance of the petitioner is that the respondents did not act upon the representation inspite of the petitioner paying necessary fees towards survey and measurement of land. Left with no other alternative, the present writ petition has been filed seeking for appropriate directions.

5.Heard Mr.P.Valliappan, learned counsel appearing on behalf of the petitioner and Mr.S.N.Parthasarathi, learned counsel appearing on behalf of the respondents.

6.Taking into consideration, the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to respondents 2 to 4 to act upon the representation made by the petitioner on 21.05.2020 and conduct the necessary survey and fix the boundary stones. The respondents 2 to 4 shall act upon the representation of the petitioner and also the judgment passed by the competent civil court. The respondent shall also issue notice to all interested parties before conducting the survey. This process shall be completed within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to respondents 2 to 4 along with a copy of the representation dated 21.05.2020 and all other relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above

directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
District Collector Office,
Kallakurichi Town and Taluk.
- 2.The Tahsildar,
Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.
- 3.The Village Administrative Officer,
Village Administrative Office,
Mookanur Village,
Sankarapuram Town and Taluk,
Kallakurichi District.
- 4.The Taluk Land Surveyor,
Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

+1cc to Mr.P.Valliappan, Advocate, S.R.No.25465
+1cc to the Government Pleader, S.R.No.25630

PA(CO)
CB(21/08/2020)

W.P.No.9799 of 2020

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