

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17066 of 2020

M.Sivaraman, M/50 yars,
S/o.Murugesan,
M.Kunnathur Village,
Thirukkivilur Taluk,
Kallakurichi District. Petitioner

Vs.

1.The Tahsildar,
Thirukkivilur Taluk,
Kallakurichi.

2.The Surveyor,
Thirukkivilur Taluk,
Kallakurichi.

3.The Inspector of Police,
Thiruvannainallur Police Station,
Thiruvannainallur.

4.Kolliyanuran,
S/o.Murugesan,
Veeranampattu Village,
Thirukkivilur Taluk,
Kallakurichi.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the 1st respondent to measure petitioner's land and fix the boundary of petitioner's land situated at Veeranampattu village, Thirukkivilur Taluk, Kallakurichi district bearing patta No.214 and 215 comprised in Survey No.26/2-0.45.50, 33/16A-0.4.50, 33/21A-0.4.00, 33/21D-0.3.00 and 34/16A-0.06.5 totally measuring an extent of 0.63.05 Ares (1 Acre 58 Cents) with help of the 2nd and 3rd respondent and considering the representation dated 04.02.2020.

For Petitioner : Mr.M.Karthik

For Respondents: Mr.G.Rajesh (for R1 to R3)
Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the 1st respondent to act upon the application submitted by the petitioner and to conduct a survey in the subject property and fix the boundaries within the time stipulated by this Court.

2.Heard Mr.M.Karthik, learned counsel appearing on behalf of the petitioner and Mr.G.Rajesh, learned Government Advocate appearing on behalf of respondents 1 to 3.

3.The representation dated 04.02.2020 is now pending before the 1st respondent. That apart, the petitioner has also made the necessary payments for the purpose of conducting the survey. The petitioner wants the survey to be conducted in line with the patta that has already been issued in patta No.214 & 215. The 1st respondent will have to necessarily act upon the representation and conduct an enquiry after calling the petitioner and the 4th respondent. After hearing them, the 1st respondent will have to take a decision on the application submitted by the petitioner. It cannot be kept pending without a decision.

4.In view of the above, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 04.02.2020, after affording opportunity to the petitioner and the 4th respondent. The 1st respondent shall take a decision strictly in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation to the 1st respondent along with all the relevant documents and also copy of this order.

5.With the above directions, this Writ Petition is disposed of. No costs.

-Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar

sai

To

1.The Tahsildar,
Thirukkivilur Taluk,
Kallakurichi.

2.The Surveyor,
Thirukkivilur Taluk,
Kallakurichi.

3.The Inspector of Police,
Thiruvannainallur Police Station,
Thiruvannainallur.

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