



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.4770 of 2020

K.Velusamy

...Petitioner

Vs.

1.The Tahsildar,
Palani Taluk,
Dindigul District.

2.The Firka Surveyor,
Thoppampatti,
Palani Taluk,
Dindigul District.

3.Velathaal

4.Valliathaal

5.Palaniammal
(R3 to R5 has been impleaded
vide order dated 07.07.2020)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to measure, to fix four boundaries and to erect boundary stones by surveying the property in S.No.199/2F1 with an extent of 3.41.50 hectares of Punja land situated at Thoppampatti Village, Palani Taluk, Dindigul District by following the provisions either under section 9 or under section 10 of the Tamil Nadu Survey and Boundaries Act,1923.

For Petitioner	: Mr.D.Venkatesh
For R1 & R2	: Mr.R.Sethuraman
	Special Government Pleader

ORDER

This writ petition has been filed to direct the respondents to measure, to fix four boundaries and to erect boundary stones by surveying the property in S.No.199/2F1 with an extent of 3.41.50 hectares of Punja land situated at Thoppampatti Village, Palani Taluk, Dindigul District.

2.According to the petitioner, he owns the property in S.No.199/2F1, measuring to an extent of 3.41.50 hectares of punja



land in Thoppampatti Village, Palani Taluk, Dindigul District. The said property along with some other properties stand in the name of the petitioner in Patta No.1296. On 16.05.2019, he made an application to the 1st respondent to fix the boundaries by surveying the said property and he also paid the necessary amount through Challan dated 15.05.2019. But the 1st respondent has not chosen to consider the said application. Hence, the petitioner is before this Court by way of filing the present writ petition.

3.The learned counsel for the petitioner would submit that as per Section 10 of the Survey and Boundaries Act, the Survey Officer is bound to make an enquiry for fixing the boundaries, by issuing notice to the parties and to the registered holders of the lands.

4.The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that the said application of the petitioner dated 16.05.2019 would be considered as expeditiously as possible on merit and in accordance with law.

5.In agreement with the submission made by the learned Special Government Pleader, this Court is inclined to pass the following direction:-

"The 1st respondent is directed to dispose of the petitioner's application dated 16.05.2019 on merits and in accordance with law, within a period of 4 months from the date of receipt of a copy of this order, after affording due opportunity of hearing to the parties concerned."

6.This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Tahsildar,
Palani Taluk,Dindigul District.

2.The Firka Surveyor,
Thoppampatti, Palani Taluk, Dindigul District.

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AP(14/07/2020) 2P 3C

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