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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.13400 of 2021

G.Dhanalakshmi

.. Petitioner

Vs.

1. The District Collector,
Thiruvallur,
Thiruvallur District.
2. The Tahsildar,
Ponneri Taluk
Ponneri - 601204.
3. The Taluk Surveyor,
Ponneri Taluk,
Ponneri - 601204.
4. Padmavathy
5. Jamuna

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd and 3rd respondents to immediately survey the petitioner's Gramanatham site measuring 68 square meters or so situated in Gramanatham S.No.278/1, old S.No.146/1B1 Part, Panchetti Village, Ponneri Taluk, Thiruvallur District. Patta No.359 along with the adjacent eastern property in S.No.278/2 of 4th respondent and identify the boundary stones to earmark and identify the encroached extent by 4th and 5th respondents in the eastern portion of the petitioner's aforesaid property and to furnish a report with sketch to the petitioner.

For Petitioner : Mr.N.R.Anantha Rama Krishnan

For RR1 to R3 : Mr.Yogesh Kannadasan
(Govt.Advocate)



For R4 & R5

: A.P.Sathyamurthy

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ORDER

This writ petition has been filed in the nature of Mandamus, directing the 2nd and 3rd respondents namely, the Tahsildar, Ponneri Taluk and the Taluk Surveyor, Ponneri Taluk to survey the petitioner's Gramanatham site measuring 68 sq.mts situated in Gramanatham S.No.278/1, old S.No.146/1B1 Part, Panchayat Village, Ponneri Taluk, Tiruvallur District, bearing Patta No.359 and also the lands of the 4th and 5th respondents in S.No.278/2 in the same village and identify the boundary stones between the properties to determine whether there has been any encroachment by either one of the two parties.

2.Heard Mr.N.R.Anantha Rama Krishnan learned counsel for the petitioner and Mr.A.P.Sathyamurthy, learned counsel for the 4th and 5th respondents and also Mr.Yogesh Kannadasan, learned Government Advocate for the 1st, 2nd and 3rd respondents.

3.The issue before the Court is quite limited seeking survey of the property of the petitioner and also very fortunately seeking survey of the property of the 4th respondent. This survey would enable both the parties to identify their particular lands and also to identify the boundaries. It is stated that both the petitioner and the 4th respondent herein had made necessary applications to the 2nd respondent, Tahsildar, Ponneri Taluk and have also paid the requisite fees.

4.Therefore, a Mandamus is directed to the 2nd respondent to take assistance of the 3rd respondent and proceed to measure the property of the petitioner and also the properties of the 4th / 5th respondents in Gramanatham S.No.278/1 and S.No.278/2 respectively both situated in Panchetti Village, Ponneri Taluk, Tiruvallur District, in the presence of both the parties. The 2nd respondent, Tahsildar, may also examine the representation, if any given by both the parties. He may also request them to produce documents and thereafter, proceed to measure the properties and give each one of them a copy of the report, which he prepares after the survey of the lands. At any rate, the entire exercise should be completed within a period of twelve weeks from the date of receipt of a copy of this order.



5. With the said observations, the Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

smv

To

1. The District Collector,
Thiruvallur,
Thiruvallur District.
2. The Tahsildar,
Ponneri Taluk
Ponneri - 601204.
3. The Taluk Surveyor,
Ponneri Taluk,
Ponneri - 601204.

+1cc to Mr.N.R.Anantha Ramakrishnan, Advocate, S.R.No.40272

+1cc to the Government Pleader, High Court, Madras, S.R.No.40771

W.P.No.13400 of 2021

EV(CO)
SU(06/09/2021)