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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 13935 of 2018

Kolanchi

.. Petitioner

Vs.

1. The District Collector,
Cuddalore District,
Cuddalore.

2. The Revenue Tahsildar,
Thittakudi Taluk,
Cuddalore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 07.05.2018 in accordance with law and directing the second respondent to survey the Natham Patta land of the petitioner bearing Survey No.135/5 for an extent of 81 Square meter situated at Edaiseruvai Village, Thittakudi Taluk, Cuddalore District.

For Petitioner : No appearance

For Respondents : Mr. I.Sathish
Additional Government Pleader

O R D E R

This Writ Petition is for issuing Writ of Mandamus directing the respondents to consider the petitioner's representation dated 07.05.2018 in accordance with law and to direct the second respondent to survey the Natham land of the petitioner bearing Survey No.135/5 in Edaiseruvai Village, Thittakudi Taluk, Cuddalore District.

2. On the basis of the assignment patta issued by the Revenue Tahsildar in favour of the petitioner, the petitioner states that he is the absolute owner of the property. The



petitioner has submitted a representation to the Tahsildar to survey and fix the boundary on all the four sides of the property. Since the representation was not considered, the present writ petition is filed.

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3. Learned Additional Government Pleader produced before this Court a communication addressed to the Government Pleader stating that action had been taken on the representation of the petitioner and that therefore the writ petition can be dismissed as infructuous.

4. The survey of land cannot be done merely for the asking of one individual who wants the boundary to be fixed. When boundary has to be fixed, the official respondents have to hold an enquiry and consider the objections and statements of everyone who is interested in the land adjoining on all sides. This Court, normally, is not expected to issue any direction to survey one's land without impleading the neighbours who are also interested. The petitioner is not present and he is not represented by any of his counsel.

5. This Court is of the view that no relief can be granted to the petitioner in the absence of interested persons and hence is inclined to dismiss the writ petition for non prosecution. Accordingly, this Writ Petition is dismissed for non-prosecution. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The District Collector,
Cuddalore District, Cuddalore.
2. The Revenue Tahsildar,
Thittakudi Taluk, Cuddalore District.

+1cc to the Government Pleader, S.R.No.12774

W.P. No. 13935 of 2018

GPL(CO)
BE(15/07/2021)