

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16703/2021

[Video Conferencing]

Kandan

... Petitioner

Versus

1.The Tahsildar
Rasipuram Taluk
Namakkal District.

2.The Head Surveyor
Rasipuram Taluk
Namakkal District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to point out the field boundaries by survey the measurement of a property comprised in Old Survey No.106/3 New Survey No.204/14 situated at Vennandur Village, Namakkal District admeasuring to an extent of 0.0056.0 sq.mt., in pursuance of petitioner's application dated 12.03.2021.

For Petitioner : Mr.M.Subash
For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents.
- (2) The petitioner who had constructed a house about 50 years back and claiming to be categorised as landless poor, sought for patta and was issued with a house site patta in Patta No.131, in the year 1991 by the 1st respondent/Tahsildar, Rasipuram Taluk, Namakkal District with respect of the property in Old.S.No.106/3 New S.No.204/14 at Vennandur Village, Rasipuram Taluk, Namakkal District, which measures 0.0056.0 sq.m. The petitioner claims that he had been in continuous possession, is also paying necessary house tax, which receipts have been issued in his name. However, boundaries will have to be determined and for that purpose, a representation had been given on 12.03.2021. He had also paid requisite fees for surveying the lands. Since the 1st respondent/Tahsildar, had not taken effective

steps on the basis of the said representation, the present writ petition has been filed seeking a mandamus to the 1st respondent to seek assistance of the 2nd respondent/Head Surveyor and measure the property of the petitioner herein and fix the boundaries.

- (3) A mandamus is issued to the 1st respondent/Tahsildar to, along with the 2nd respondent/Head Surveyor, take into consideration the representation given by the petitioner and if necessary fees had been paid, examine the petitioner, examine any other person who has raised any rival contentions in the said issue and thereafter, proceed to determine the area of the petitioner's property and fix the boundary stones. The said exercise may be conducted within a period of twelve weeks from the date of receipt of a copy of this order.
- (4) The writ petition stands disposed of accordingly. No costs.

सत्यमेव जयते

11.08.2021

AP
Internet : Yes

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C.V.KARTHIKEYAN, J.,

AP

To

1.The Tahsildar
Rasipuram Taluk
Namakkal District.

2.The Head Surveyor
Rasipuram Taluk
Namakkal District.



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