



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16768/2021 & WMP.No.17732/2021

[Video Conferencing]

R.Kalainesan

... Petitioner

Versus

1.The Tahsildar
Kundrathur, Kancheepuram District.

2.B.Niranjana Devi

... Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to consider the representation dated 06.05.2021 and pass orders within a time frame to be stipulated by this Court so as to accept the payment of necessary charges and measure the property of the writ petitioner and fix boundary stones around the same.

For Petitioner : Ms.G.Sumitra

For R1 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the 1st respondent.
- (2) The petitioner claims right by way of a Sale Deed executed on 08.02.2008 and the 2nd respondent claims right by way of a Sale Deed dated 16.06.2016. They are both neighbours. There seems to be a dispute with respect to the boundary and the petitioner seeks measurement of the property and to fix the boundary stones. In this connection, he had given representations to the 1st respondent/Tahsildar, Kundarathur, Kancheepuram District. There had been no effective action taken by the said Tahsildar. As a matter of fact, my attention was drawn to the communication sent by the District Collector on 02.06.2021 seeking compliance



of the requirements in the said representation. It is stated that the petitioner had also issued another communication on 11.06.2021 seeking personal hearing.

(3) In view of the limited scope of the writ petition and particularly, in view of the fact that an obligation is placed on the Tahsildar, to also issue notice to the 2nd respondent / B.Niranjana Devi, notice to the said respondent is dispensed with in the present writ petition, but, however a mandamus is issued to the 1st respondent to enquire into the representation given by the petitioner, enquire the 2nd respondent and thereafter, take necessary steps after examining all the revenue records, whether to undertake survey or not. At any rate, a decision must be taken by the 1st respondent/Tahsildar, Kundrathur, within a period of twelve weeks from the date of receipt of a copy of this order and communicate to the petitioner herein.

(4) The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

AP

To

The Tahsildar,
Kundrathur,
Kancheepuram District.

+1cc to M/s.G.Sumitra, Advocate Sr No.40486
+1cc to Government Pleader Sr No.40354

WP.No.16768/2021

GPL (CO)
PR (01/09/2021)