



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.18105 OF 2021

D.Saroja

..Petitioner

Versus

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Sub-Collector,
Virudhachalam.
3. The Revenue Thasildar,
Veppur, Cuddalore District.
4. Rani

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider and pass orders on the representation dated 14.08.2021 seeking measurement of the land as per the description of the boundaries of the petitioner's properties situate in S.No.142/4, to an extent of about 0.51.0 Hectare, S.No.142/5 to an extent of about 0.70.0 Hectare and S.No.142/16 to an extent of about 0.08.0 Hectare, of Kachimailur Village, Veppur Division, Cuddalore District, on merits and as per law, within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr. L.Chandrakumar

For Respondents : Mr. Yogesh Kannadasan,
Government Advocate.

O R D E R

This writ petition is filed for issuance of a writ of mandamus directing the respondents 1 to 3 to consider and pass orders on the representation dated 14.08.2021, seeking measurement of the land as per the description of the boundaries of the petitioner's properties situated in S.No.142/4, to an extent of about 0.51.0 Hectare, S.No.142/5 to an extent of about 0.70.0 Hectare and S.No.142/16 to an extent of about 0.08.0



Hectare, of Kachimailur Village, Veppur Division, Cuddalore District.

2. The case of the petitioner is that she is in possession and enjoyment of the lands situated in S.No.142/4, to an extent of about 0.51.0 Hectare, S.No.142/5 to an extent of about 0.70.0 Hectare and S.No.142/16 to an extent of about 0.08.0 Hectare, of Kachimailur Village, Veppur Division, Cuddalore District. The above said lands were derived by the petitioner through her ancestral means. It is stated that the fourth respondent illegally took possession of the 30 cents in the corner of the above said land and put up a temporary thatched hut and causing disturbance to the petitioner. Hence, the petitioner made a representation to the Revenue Authorities for measuring her land. It is stated that on 15.06.2020, the authorities measured the property and left without any intimation since no boundaries were marked by pitching of the boundary stones. The petitioner again made representations to the authorities to measure and mark the boundaries. It is stated that despite various communications, nothing had taken place and therefore, the petitioner made her final reminder to the authorities on 14.08.2021. Since no action was taken by the authorities, left with no other alternate remedy, the petitioner filed this present writ petition.

3. Learned counsel for the petitioner submitted that the official respondents being a quasi-judicial authority are bound in law to act in a fair and reasonable manner. Though the petitioner remitted the requisite amount twice towards measurement and marking of boundaries, the official respondents have not responded to the same. Hence, the learned counsel for the petitioner seeks to direct the respondents 1 to 3 to consider and pass appropriate orders on the petitioner's representation dated 14.08.2021.

4. Learned Government Advocate appearing for respondents 1 to 3 submitted that when the authorities went to the said property on 20.07.2021, for measuring the said property, one Rani W/o. Shanmugam objected to measure the same and in order to avoid law and order situation, the officials returned without measuring the property. The learned Government Advocate further submitted that the said Rani filed a suit in O.S. No.55 of 2021, before the District Munsif Court, Thittakudi, by impleading the District Collector, Cuddalore, Revenue Tahsildar and the petitioner as party to the said suit. On 14.08.2021, the third respondent conducted peace talk and accordingly, the petitioner had agreed for measuring the property on the basis of the judgment and decree to be passed in the suit. Hence, the authorities could not measure the land.



5. On considering the facts and circumstances of the case and the submissions made by both counsel, it is seen that the petitioner seeks only to dispose her representation dated 14.08.2021, which will be helpful for the petitioner to proceed further in this issue. Hence, this Court directs the third respondent to consider and pass appropriate orders on the representation of the petitioner dated 14.08.2021, on the above stated facts. after affording an opportunity to the petitioner of being heard, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Sub-Collector,
Virudhachalam.
3. The Revenue Tahsildar,
Veppur, Cuddalore District.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.44465

+1cc to the Government Pleader, S.R.No.45228

W.P. No.18105 of 2021

GSM(CO)
RGA(12/11/2021)