



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19089 of 2021

A.Dinesh Kumar

... Petitioner

Versus

1. The Tashildar,
Tahsildar Office,
Chetpet Taluk,
Thiruvannamalai District.

2. The Taluk Surveyor,
Tahsildar Office,
Chetpet Taluk,
Thiruvannamalai 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 and pass orders on the petitioner's applications/ representations dated 05.07.2021 and 13.08.2021 by measuring and fixing the Boundary stones in S.No.748/5G measuring to an extent of 0.02.5 Hector, 0.06 Acre 2,616 Sq.ft (243.12 Sq.mt) at No.8, Kozhappalur Village, Vandavasi Taluk now Chetpet Taluk, Thiruvannamalai District.

For Petitioner : Mr.K.Perumalswamy

For Respondent : Mr.K.M.D. Muhilan,
Government Advocate.

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondents to consider on the petitioner's representations dated 05.07.2021 and 13.08.2021 by measuring and fixing the boundary stones in S.No.748/5G measuring to an extent of 0.02.5 Hector, 0.06 Acre 2,616 Sq.ft (243.12 Sq.mt) at No.8, Kozhappalur Village, Vandavasi Taluk now Chetpet Taluk, Thiruvannamalai District.



2. The case of the petitioner is that the petitioner's father owning a vacant land in S.No.748/5G measuring to an extent of 0.02.5 hector, 0.06 acre 2616 sqft., (243.12 sqmtr) at No.8, Kozhappalur Village, Vandavasi Taluk, now Chetpet Taluk, Thiruvannamalai District, and having Patta No.1661 and his father and family members are in possession and enjoyment of the said land. On 08.01.2014, his father executed a settlement deed registered as Doc.No.41/2014 in favour of the petitioner on the file of Sub Registrar Office, Chetpet, Thiruvannamalai District. After the execution of settlement deed, the petitioner is in possession and enjoyment of the same. Since the aforesaid land has been vacant land he could not cultivate his land without measuring the boundary, because the neighbour land owners were trying to encroach his land without any valid title. Following the same, he sent a representation before the 1st respondent dated 05.07.2021 requesting them to survey the land and to lay the boundary stones in the above said property. Moreover, he has paid necessary fees by challan dated 05.07.2021 and now, all the revenue records stand in the name of the petitioner's father. Therefore, the petitioner seeking for transferring patta in his name. Hence, the petitioner has come forward with the present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representations dated 05.07.2021 and 13.08.2021 dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with only a direction to the respondent to consider the petitioner's representations dated 05.07.2021 and 13.08.2021 and pass appropriate orders, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



To

1. The Tashildar,
Tahsildar Office,
Chetpet Taluk,
Thiruvannamalai District.

2. The Taluk Surveyor,
Tahsildar Office,
Chetpet Taluk,
Thiruvannamalai District.

+1CC to Mr.Government Pleader, Sr.No.46489

W.P.No.19089 of 2021

PMK (CO)
K.RK. (06.10.2021)