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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.19381 OF 2021

Mr.S.Buvaneswaran

...Petitioner

Vs.

1. The Tashildhar,
Nemili Taluk,
Ranipet District.

2. The Taluk Surveyor,
Nemili Taluk,
Ranipet District.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Mandamus, to direct the respondents 1 & 2 to take appropriate action to point out field boundary line to the properties of the petitioner as per the valid title deeds of the petitioner within a reasonable time.

For Petitioner	:	Mr.J.Kamaraj
For Respondents	:	Mr.K.M.D.Muhilan Government Advocate

ORDER

This Writ Petition has been filed for a mandamus to direct the respondents 1 and 2 to take appropriate action to point out field boundary line to the properties of the petitioner as per the valid title deeds of the petitioner within a reasonable time.

2.The case of petitioner is that he is the sole and absolute owner of the properties viz. S.No.55/1 (New Survey No.468/1) measuring 1620 Sq.ft., S.No.55/1 (New Survey No.468/2) measuring 1680 sq.ft with tiled house measuring 544 sq.ft with electric service and water connections and two coconut trees, S.No.55/1 (New Survey No.468/2) measuring 286 sq.ft., S.No.55/1 (New Survey No.468/4) measuring 242 sq.ft. through the registered Settlement Deed dated 03.01.2013 registered as Document No.21 of



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2013 followed by the Deed of Rectification dated 04.08.2021 registered as Document No.3524 of 2021 before the Sub-Registrar, Kaveripakkam from his father L.Shanmugam ever since from the date of purchase, he is in possession and enjoyment of the said property.

3.The petitioner submits that one Gangadharan and Devaraj filed O.S.No.2 of 2006 before the District Munsif, Arakkonam in respect of the property in S.No.55/1 and New Survey No.468/23, the same was dismissed and the appeal filed in A.S.No.184 of 2014 before the Sub-Court, Arakkonam was decreed.

4.The petitioner further submits that against which, the Second Appeal in S.A.No.640 of 2020 has been preferred, the same has also been admitted and is pending before this Court.

5.The petitioner submits that he submitted an application for point out field boundary line by paying necessary fees on 12.11.2020, but no action has been taken and then he petitioned to the Revenue Divisional Officer Arakkonam, the Revenue Divisional Officer Arakkonam vide his letter dated 09.02.2021 instructed the first respondent to take necessary action, but the first respondent has not taken any steps till date.

6.The petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, the writ petition filed.

7.Heard, learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

8.In view of the above and considering the submission made by the petitioner and without expressing any opinion on merits, this Court is of the view that the respondents shall pass appropriate orders in accordance with law after, within a period of four months from the date of receipt of a copy of this order.

9.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Tashildhar,
Nemili Taluk,
Ranipet District.
2. The Taluk Surveyor,
Nemili Taluk,
Ranipet District.

+1cc to the Government Pleader, S.R.No.47228

W.P.No.19381 of 2021

PMK (CO)
PM/12/11/2021