



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.21090 OF 2021

M.Ravivanan

...Petitioner

Vs

The Tahsildhar,  
Pornampattu,  
Vellore District

...Respondent

PRAYER : This Petition is filed under Article 226 of the Constitution of India, praying for to issue Writ of Mandamus directing the respondent to survey the land comprising in S. Nos. 72/4A measuring Acre 0.09 cent, 32/1 measuring Acre 1.58 cents, 32/4 measuring 0.59<sup>1/4</sup> cent, 32/1 measuring Acre 1.00 cent, 32/3 measuring Acre 0.24 cent 33/1 measuring Acre 0.01 cent (Well) altogether Acre 3.51<sup>1/4</sup> cent situated at Sarankkal Village, Pernampattu Taluk, Vellore District, based on the petitioner representation dated 26.03.2021 and pass orders accordingly.

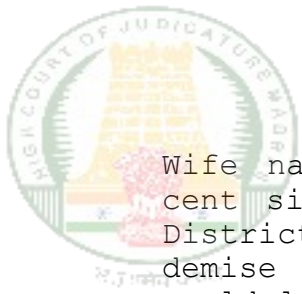
For Petitioner :: Mr.M.Rajendiran

For Respondent :: Mr.V.Veluchamy  
(Government Advocate)

O R D E R

This Writ Petition has been filed under Article 226 of the Constitution of India, praying for to issue Writ of Mandamus directing the respondents to survey the land comprising in S. Nos. 72/4A measuring Acre 0.09 cent, 32/1 measuring Acre 1.58 cents, 32/4 measuring 0.59<sup>1/4</sup> cent, 32/1 measuring Acre 1.00 cent, 32/3 measuring Acre 0.24 cent 33/1 measuring Acre 0.01 cent (Well) altogether Acre 3.51<sup>1/4</sup> cent situated at Sarankkal Village, Pernampattu Taluk, Vellore District, based on the petitioner representation dated 26.03.2021 and pass orders accordingly.

2.The learned counsel for the petitioner would submit that the petitioner has purchased the property in the name of his



Wife namely Rajeshwari measuring to the extent of Acre 3.51<sup>1/4</sup> cent situated at Sarankkal Village, Pernampattu Taluk, Vellore District by virtue of Sale Deeds on various dates. After the demise of the petitioner's wife on 31.12.2018, the petitioner would like to put up fencing in his land for the convenience and also avoidance of unnecessary problem with others with respect to the boundary of the property and hence, the petitioner wished to survey the total extent of land by fixing boundary stones which are bought in the name of his wife. Hence, the petitioner has paid requisite charges in separate challan to survey the lands comprising in S. Nos. 72/4A measuring Acre 0.09 cent, 32/1 measuring Acre 1.58 cents, 32/4 measuring 0.59<sup>1/4</sup> cent, 32/1 measuring Acre 1.00 cent, 32/3 measuring Acre 0.24 cent 33/1 measuring Acre 0.01 cent (Well) altogether Acre 3.51<sup>1/4</sup> cent situated at Sarankkal Village, Pernampattu Taluk, Vellore District, based on the petitioner representation dated 26.03.2021 as per the 5 sale deeds in the treasury. However, the respondent did not depute surveyor to survey the aforesaid land despite the respondent is duty bound to depute the surveyor to survey the land on receipt of the requisite charges payable to the respondent. The petitioner made a repeated request in person to Survey the aforesaid land. Even though the respondent assured to depute the surveyor to survey the land, there is no progress in this regard. Hence, the petitioner is left with no other alternative and efficacious remedy except to approach this Court by invoking its jurisdiction under Article 226 of Constitution of India directing the respondent to survey the aforesaid property based on the representation dated 26.03.2021 made by him within time frame as fixed by this Court and pass appropriate order in this regard.

3.The learned Government Advocate for the respondent would submit that the petitioner has not produced any copy of the sale deeds and legal heir certificate before the respondent. However, the respondent may be directed to consider his representation dated 26.03.2021 after perusing the entire documents relied by him and pass appropriate orders within a time frame as fixed by this Court in accordance with law.

4.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.

5. Having considered the facts and circumstance of the case and submissions made by the learned counsel on either side, this Court without expressing any opinion with regard to the merits of the case, directs the respondent to consider the representation dated 26.03.2021 of the petitioner herein and pass appropriate orders for deputation of surveyor to measure the properties based on the related documents of the property



and legal heirs certificate produced by the petitioner herein within a period of four months from the date of receipt of copy of this order in accordance with law.

6. In the result, the Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

Sd/-  
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

Lbm

To:

The Tahsildhar,  
Pornampattu,  
Vellore District.

+1cc to Mr.M.Rajendiran, Advocate SR.No.51201

+1cc to the Government Pleader SR.No.51550

W.P.No.21090 of 2021

GPL(CO)  
RVM(10/12/2021)