



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.20700 OF 2021

S.Azhagiri Mudhaliar

... Petitioner

Versus

1. The District Collector,
Kancheepuram Taluk & District.
2. The Tahsildar,
Kancheepuram Taluk & District.
3. The Taluk Surveyor,
Kancheepuram Taluk & District.

... Respondents

PRAYER:-

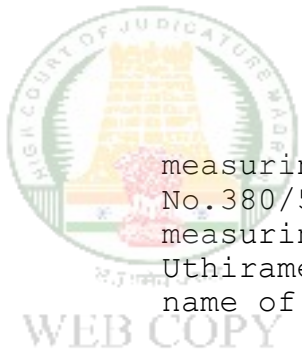
Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to dispose of the petitioner's applications dated 01.10.2015 and 30.06.2021 by measuring and demarcating the petitioner's land in Survey No.380/5D measuring to an extent of 1.29, acre Survey No.504/1 measuring to an extent of 0.09 acre at Nuradi Village, Uthiramerur Taluk, Kancheepuram District to issue patta in the name of the petitioner.

For Petitioner : Mr.R.Gopinath

For Respondents : Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to dispose of the petitioner's applications dated 01.10.2015 and 30.06.2021 by



measuring and demarcating the petitioner's land in Survey No.380/5D measuring to an extent of 1.29, acre Survey No.504/1 measuring to an extent of 0.09 acre at Nuradi Village, Uthiramerur Taluk, Kancheepuram District to issue patta in the name of the petitioner.

2. The case of the petitioner is that he is an agricultural coolie and his employment is seasonal. His land in Survey No.380/5D measuring to an extent of 1.29 acre and Survey No.504/1 measuring to an extent of 0.09 acre at Niradi Village, Uthiramerur Taluk, Kancheepuram District and constructed a small house and he is in absolute possession and enjoyment of the property for several generations and there is no dispute regarding the said property. In order to protect his property from strong animals and the dwelling house in order to protect his personal belonging from theft and mischief, the petitioner has decided to put a fence around the above said land. Since, the petitioner was not sure about the boundaries and to avoid any dispute with the neighbor, he thought that it would be better if the revenue department/respondents measure and demarcate the property according to the Revenue Records. Therefore, the petitioner gave applications dated 01.10.2015 and 30.06.2021 to measure and demarcate the above said land, till date, no action has been taken by the respondents. Hence, the petitioner has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to dispose of the petitioner's applications dated 01.10.2015 and 30.06.2021 by measuring and demarcating the petitioner's land in Survey No.380/5D measuring to an extent of 1.29, acre Survey No.504/1 measuring to an extent of 0.09 acre at Nuradi Village, Uthiramerur Taluk, Kancheepuram District to issue patta in the name of the petitioner.

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 a direction to the respondents to consider the petitioner's representations dated 01.10.2015 and 30.06.2021 and pass appropriate orders, on merits and in accordance with law after issuing notice to the petitioner and necessary parties within a



period of four months from the date of receipt of a copy of this order. No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kancheepuram Taluk & District.
2. The Tahsildar,
Kancheepuram Taluk & District.
3. The Taluk Surveyor,
Kancheepuram Taluk & District.

+1cc to Mr.K.Prabakaran, Advocate, S.R.No.50190
+1cc to the Government Pleader, S.R.No.50828

W.P.NO.20700 OF 2021

AK(CO)
PBS/15/11/2021