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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.21108 of 2019

P. Rani

...Petitioner

-Vs-

1. The Secretary to Government,
Revenue Department, Secretariat,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Krishnagiri District,

3. The Tahsildar,
Uthangarai Taluk,
Krishnagiri District.

4. The Land Surveyor,
Tahsildar Office,
Uthangarai T.K.
Krishnagiri District.

...Respondents

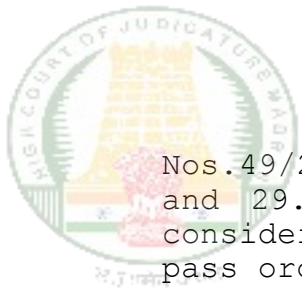
PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondents to survey the lands in Survey Nos.49/2, 49/5, 49/6 and 52/2A to the total extent of 1 acres and 29.5 cents and consequently directing the respondents to consider the petitioner's representation dated 27.06.2019 and pass orders accordingly.

For Petitioner :: Mr.Jagadeesan.D.

For Respondents :: Mr.K.M.D. Muhilan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction the respondents to survey the lands in Survey



Nos.49/2, 49/5, 49/6 and 52/2A to the total extent of 1 acres and 29.5 cents and consequently directing the respondents to consider the petitioner's representation dated 27.06.2019 and pass orders accordingly.

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2.The learned counsel for the petitioner would submit that the petitioner had purchased land situated at Krishnagiri District, Uthangarai Taluk, Muthampatti Village, in survey No.49/2, consisting of 0.74 cents Survey No.52/2A of 0.12 cent, Survey No.49/6 consisting of 0.20 cent and in Survey No.52/2A of 0.12 cent, totally an extent of 1.29.5 Acres, from one Seppymmal @ Palaniyammal and her legal heirs in document No.206 of 2004 on the file of the Sub Registrar Office, Uthangari on 09.02.2004. Since there was a dispute on the boundaries of the aforesaid land in question, the petitioner has submitted a representation dated 26.06.2019 addressed to the respondents 2, 3 and 4, seeking for to survey the lands for the above survey numbers and to plant the survey stones. Despite the petitioner had approached the respondents for several times, the respondents have not considered the petitioner's representation so far and no action was taken by the respondents in this regard. Hence, the petitioner who has no other efficacious and alternative remedy except to approach this Court by invoking Article 226 of the Constitution of India, has filed the present Writ petition for issuance of Writ of Mandamus, to direct the respondents to take action on the representation made by him.

3. The learned Government Advocate would submit that the counter affidavit has already been filed on behalf of the respondents stating that the Respondent 4 has carried out the Survey work on the site of the petitioner as stated above on 06.08.2019 in the presence of the petitioner and one Thiru. Rajendran, S/o. Gopal who is the adjacent land owner and fixed the boundaries as prayed by the petitioner herein. The petitioner and the adjacent land owner had deposed jointly before the 4th respondent that the land situated at Krishnagiri District, Uthangarai Taluk, Muthampatti Village in Survey Nos.49/2, 5,6, and 52/2A have been surveyed by the 4th respondent as per village accounts and after due enquiry, the four boundaries were shown to the parties concerned and hence, petitioner's representation may be closed.

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



5. In view of the aforesaid submissions made by the learned Government Advocate and counter has been filed accordingly, the Writ petition is closed. 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:

1. The Secretary to Government,
Revenue Department, Secretariat,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Krishnagiri District,
3. The Tahsildar,
Uthangarai Taluk,
Krishnagiri District.
4. The Land Surveyor,
Tahsildar Office,
Uthangarai T.K.
Krishnagiri District.

+1cc to the Government Pleader, S.R.No.43663

W.P. No.21108 of 2019

RR[co]
NSK 29/11/2021