



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.22893 of 2019

V. Chinnasamy

... Petitioner

Vs

The Tashildar,
Gangavallie Taluk Office,
Gangavallie Town and Taluk,
Salem District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to survey and fix the boundaries of the petitioner's land in Survey No.256/8B measuring to an extent of 0.30.00 Hectare, Survey No.257/7C measuring to an extent of 0.38.00 Hectare and Survey No.257/7A measuring to an extent of 10 cents acquired by a Partition Deed dated 26.03.1980 registered vide Document No.465/1980 acquired an agricultural land in Survey No.257/2E measuring to an extent of 12 ½ cents by a Sale Deed dated 09.02.1981 registered as Document No.118/1981, acquired a land in Survey No.256/4 measuring to an extent of 0.03.0 Hectare by a Sale Deed dated 12.03.1997 registered vide Document No.320/1997, all the piece of land situated within the jurisdiction of the Sub-Registrar, Gangavalli, Salem District, based on the petitioner's representation dated 08.05.2019 along with requisite payment challan submitted to the respondent, within a time frame to be fixed by this Court.

For Petitioner : Mr.Manibharathi.A.C

For Respondent : Mr.V.Veluchamy
Government Advocate.

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, to survey and fix the boundaries of the petitioner's land in Survey No.256/8B measuring to an extent of 0.30.00 Hectare, Survey No.257/7C measuring to an extent of 0.38.00 Hectare and Survey No.257/7A measuring to an extent of 10 cents acquired by a Partition Deed dated 26.03.1980 registered vide Document No.465/1980 acquired an agricultural land in



Survey No.257/2E measuring to an extent of 12 ½ cents by a Sale Deed dated 09.02.1981 registered as Document No.118/1981, acquired a land in Survey No.256/4 measuring to an extent of 0.03.0 Hectare by a Sale Deed dated 12.03.1997 registered vide Document No.320/1997, all the piece of land situated within the jurisdiction of the Sub-Registrar, Gangavalli, Salem District, based on the petitioner's representation dated 08.05.2019 along with requisite payment challan submitted to the respondent, within a time frame to be fixed by this Court.

2. The petitioner is the absolute owner of the agricultural land in the aforesaid property comprised in Survey No.256/8B, an extent of 0.30.00 Hectare, Survey No.257/7C, an extent of 0.38.00 Hectare and Survey No.257/7A an extent of 10 Cents acquired by a Partition Deed dated 26.03.1980 registered vide Document No.465/1980, acquired an agriculture land in Survey No.257/2E, an extent of 12 ½ Cents by a Sale Deed dated 09.02.1981 registered as Document No.118/1981, acquired a land in Survey No.256/4 an extent of 0.03.0 Hectare by a Sale Deed dated 12.03.1997 registered as Document No.320/1997, all the piece of land situated at Sentharappatti Village and within the jurisdiction of the Sub-Registrar, Gangavalli, Salem District and mutated all the Revenue Records in his favour and Patta Nos.779, 1546, 1359 and 1177 was also granted in favour of the petitioner. Due to the draught situation during the past many years, the agricultural lands in and around, left uncultivated and thereby the exact boundary of the lands disappeared. Therefore, the petitioner made an application dated 19.01.2018 to the respondent along with the relevant documents and challan as a proof for payment of necessary fees. But the petitioner was informed by the respondent's office that his application was misplaced and was asked to make a fresh application. However, the petitioner again gave an application on 08.05.2019 along with the relevant documents and fresh challan to the respondent, but, till date, no action has been taken by the respondent. 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 directing the respondent to survey and fix the boundaries of the petitioner's land in the above said survey numbers and to consider the petitioner's representation dated 08.05.2019 and 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 a direction to the respondent to survey and fix the boundaries of the petitioner's land in the above said survey numbers and to consider the petitioner's representation dated 08.05.2019 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

To

The Tashildar,
Gangavallie Taluk Office,
Gangavallie Town and Taluk,
Salem District.

+1cc to Government Pleader SR.No.56671

W.P.No.22893 of 2019

VSN II (CO)
GMY (10/12/2021)