



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 25968 of 2017

V.Loganathan

... Petitioner

-vs-

1. The Tahsildar,
Velachery Taluk,
Tharamani,
Chennai - 600 113.

2. Sasikala

3. Sekar

4. Munusamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to measure and fix four boundaries of the property situated at No.137, Velachery Village, Anna Nagar 2nd Street, Survey No.259, (TSLR Challan No.190, Survey Field No.55, Block No.216, as per Patta Survey No.259/4), Plot No.15, to the extent of 3000 sq.ft., on the basis of the petitioner's representation dated 11.07.2017.

For Petitioner : No appearance

For Respondents : Ms.Akila Rajendran
Counsel for Government for R1
No appearance for R2 to R4

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the first respondent to measure and fix four boundaries of the property situated at No.137, Velachery Village, Anna Nagar 2nd Street, Survey No.259, (TSLR Challan No.190, Survey Field No.55, Block No.216, as per Patta Survey No.259/4), Plot No.15, to the extent of 3000 sq.ft., on the basis of the petitioner's representation dated 11.07.2017.



2. The claim of the petitioner is that, he is the owner of the property situated at No.137, Velachery Village, Anna Nagar 2nd Street, Survey No.259, (TSLR Challan No.190, Survey Field No.55, Block No.216, as per Patta Survey No.259/4), Plot No.15, to the extent of 3000 sq.ft.

3. In order to survey the said land to identify the four boundaries and to lay the boundary stone, the petitioner has given a request on 11.07.2017 to the official respondent, i.e., first respondent / Tahsildar herein and the said request since has not been considered, the petitioner has approached this Court by filing the present Writ Petition.

4. When the case is taken up for hearing, there is no representation for the petitioner.

5. However, Ms.Akila Rajendran learned counsel for the Government appearing for the first respondent would submit that, if at all, any application or representation is given by the petitioner to measure the land claimed to belong to the petitioner and in this regard, if there is any rival claim or objection from the private respondents, i.e., R2 to R4, the first respondent would consider the said request made by the petitioner after having the limited enquiry with regard to the claim made by the petitioner by giving an opportunity of being heard to both the petitioner as well as the private respondents and the needful can be undertaken within a time frame that may be stipulated by this Court.

6. There is no representation for the private respondents and in the light of the nature of the order which this Court proposes to pass, there is no requirement of the representation for the private respondents.

7. Since the petitioner has made a request to the first respondent to measure the land claimed to belong to the petitioner as stated in the prayer and to identify the four boundaries for laying the boundary stone and in view of the claim made by the learned counsel for the Government, that the needful would be done as per the law after hearing both sides by having the limited enquiry, this Court is inclined to dispose of this Writ Petition with the following orders:

"(i) That there shall be a direction to the first respondent to consider the request of the petitioner dated 11.07.2017 and decide the same after having



WEB COPY

the limited enquiry to that effect by giving notices to both the petitioner as well as the private respondents and after satisfying himself, as to whether, the petitioner is entitled to claim such benefit of survey of the land and after collecting the necessary fee to that effect from the petitioner, the needful to survey the land to identify the four boundaries and to lay the boundary stone can be undertaken by the first respondent with the help of Taluk Surveyor.

(ii) In this regard, if ultimately, the first respondent decided to survey the land in question, at the time of surveying the land, it can be undertaken with the presence of both the petitioner as well as the private respondents.

(ii) Accordingly, the needful shall be completed within a period of twelve weeks from the date of receipt of a copy of this order."

8. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vji
To

The Tahsildar,
Velachery Taluk,
Tharamani,
Chennai - 600 113.

+1cc to the Government Pleader Sr.28522

W.P. No. 25968 of 2017

pl[co]
srg 19/07/2021