

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2021

CORAM

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 27975 of 2017

and W.M.P.No. 32973 of 2017

Sundaramurthy

.. Petitioner

Vs

1. The District Collector,
Cuddalore District,
Cuddalore.

2. The Tahsildar,
Veppur Taluk,
Cuddalore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 12.09.2017 and direct the respondents to survey the land of the petitioner bearing Survey No.4/1,4/2 measuring about 3 acres 63 cents situated at Mangalore Village, Veppur Taluk, Cuddalore District.

For Petitioner : Mr. M.Velmurugan

For Respondents : Mrs. M.Venkatesh Kumar
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 12.09.2017 and direct the respondents to survey the land of the petitioner bearing Survey No.4/1,4/2 measuring about 3 acres 63 cents situated at Mangalore Village, Veppur Taluk, Cuddalore District.

2. It is stated in the affidavit filed in support of this Writ Petition that in the month of February a Surveyor, Veppur Taluk, surveyed the land of the petitioner and laid boundary stones over the petitioner's land. It is further stated that the petitioner's adjacent owners are creating problem with the petitioner in relation with the boundary line. Apprehending that the petitioner's neighbours will create problem, the petitioner has submitted representation to the respondents to survey and demarket the land to which he is entitled.

3. The petitioner himself in his representation and in the affidavit filed in support of this petition indicates that he is facing problems with his neighbours. This indicate that there is a dispute. It is admitted that the boundary stones earlier laid by the Surveyor was removed and that the neighbours are disputing with the petitioner. The petitioner has produced before this Court the patta which stands in the name of several persons. It is not explained by the petitioner how he claims exclusive title to the property. The petitioner's name is not even found in the patta. This kind of dispute can never be resolved by the Revenue Officials. Though the petitioner pleaded that there is dispute with his neighbours, the petitioner has not impleaded any of his neighbours in this Writ Petition. In such circumstances, this Court is not inclined to entertain this petition. However, liberty is granted to the petitioner to approach the Civil Court for appropriate relief.

Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Cuddalore District,
Cuddalore.

2. The Tahsildar,
Veppur Taluk,
Cuddalore District.

PL(CO)
CSR 18.03.2021

W.P. No. 27975 of 2017