



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:10.03.2021
CORAM
THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

WEB COPY

W.P (MD) No.1163 of 2021

Andiyappan

...Petitioner

Vs

1. The Tahsildar,
Vedachandur Taluk,
Dindigul District.
2. The Taluk Surveyor,
Vedachandur Taluk,
Dindigul District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to survey and fix the boundaries of the land in Survey Nos.1661/1B,1661/2B, 1661/2E belonged to the petitioner situate at Vadamaduarai village, Dinidul District within the period that may be stipulated by this Court.

For Petitioner

: Mr.A.Balakrishnan

For respondents

: Mr.C.Ramesh,

Special Government Pleader

ORDER

When the matter is taken up for hearing the learned Special Government Pleader appearing on behalf the respondents would produce a copy of the proceedings of the 1st respondent / the Tahsildar, Veda sandur in Na.Ka.No.4323/2020/A4, dated 09.03.2021.

2.According to the 1st respondent Thasildar, there appears to be some discrepancies in the boundaries description in the survey numbers as claimed by the petitioner herein and therefore, the proper course for the petitioner is to approach the Revenue Divisional Officer concerned for rectification and unless such rectification is done, the boundaries cannot be demarcated.

3.At this, the learned Counsel for the petitioner would insist that there is proper description of the boundaries mentioned by the petitioner therefore it is not open to the Tahsildar to raise any objection in regard to the same.



4.This Court is unable to appreciate such arguments being advanced by the petitioner for the simple reason that the 1st respondent alone is competent to state whether the description of the properties is correct or not? If there is any dispute or discrepancy in regard to the matters pertaining to the boundaries of the properties, the proper course for the petitioner is to approach the authority concerned and get the rectification done before approaching the authority seeking for survey and demarcation of the property.

5.As far as the jurisdiction of this Court is concerned, such an adjudication cannot be done without doing factual investigation, which is not the part of the adjudicatory process in this extraordinary jurisdiction under Article 226 of the Constitution of India.

6.For the above said reasons, this Court is not inclined to entertain this writ petition and therefore, the same stands dismissed. However, it is open to the petitioner to approach the authority concerned for rectification of the description of the boundaries as pointed in the proceeding of the 1st respondent dated 09.03.2021 and thereafter it is open to the petitioner to approach the authority concerned for survey and demarcation of the said subject survey numbers. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk
To

1. The Tahsildar,
Vedachandur Taluk,
Dindigul District.
2. The Taluk Surveyor,
Vedachandur Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-10550[F] dated 11/03/2021)

+1 CC to M/s.A.BALA KRISHNAN, Advocate (SR-10447[F] dated 11/03/2021)

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MA (CO)

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