



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.2149 of 2021
(Through Video Conference)

WEB COPY

Dr.P.Rama

...Petitioner

Vs.

1) The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

2) The Taluk Head Surveyor,
Kodaikanal Taluk,
Dindigul District.

3) The Village Administrative Officer,
Vilpatti Village,
Kodaikanal Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to survey and demarcate the petitioner's land in survey no. 438/1B2 of an extent of 0.2.30 and survey no. 438/1B4 of an extent of 0.1.62 situated at Pallangi-Mattupatti, Vilpatti village, Kodaikanal Taluk, Dindigul District based on the application dated 5.11.2020.

For Petitioner : Mr.K.R.Badurus Zamkan

For Respondents : Mr.M.Rajarajan,
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the application submitted by the petitioner on 05.11.2020, wherein the petitioner is seeking for survey of the subject property and to fix the boundaries.

2. The case of the petitioner is that she purchased the subject property by virtue of a registered sale deed, dated 11.12.2009. Thereafter, the petitioner applied for the mutation of the revenue records and the Patta and Chitta also stands in the name of the petitioner.



3. The petitioner is a practicing doctor, who is not in a position to personally take care of this property. As a result of the same, it is alleged that some miscreants are attempting to encroach upon the property. The petitioner, therefore wanted to survey the property and fix the boundary stones, so that the property can be fenced.

4. The petitioner, therefore submitted an application to the respondents on 05.11.2020 requesting for conducting the survey in the subject property. Since the same was not considered, the present writ petition has been filed before this Court.

5. Heard Mr.K.R.Badurus Zamkan, learned counsel for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing for the respondents

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the 1st and 2nd respondents to act upon the application submitted by the petitioner on 05.11.2020 and take a decision with regard to conducting the survey in the subject property and fix the boundary stones within a period of eight (08) weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the 1 and 2 respondents along with all the relevant documents and also a copy of this order.

8. This writ petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To:

- 1) The Tahsildar,
Kodaikanal Taluk,
Dindigul District.
- 2) The Taluk Head Surveyor,
Kodaikanal Taluk,
Dindigul District.
- 3) The Village Administrative Officer,
Vilpatti Village,
Kodaikanal Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-15630[F] dated 09/04/2021)

Order made in

W.P. (MD) No.2149 of 2021

GS (28.04.2021) 3P 5C