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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1863 of 2022

A.T.Nagarajan

...Petitioner

Vs.

1. The Director and Commissioner of Land Administration,
Land Survey and Land Records Department,
Ezhilagam, Chepauk, Chennai - 5.
2. The Assistant Director,
Land Survey and Land Records Department,
B-Block, 5th Floor,
Vellore District Collectorate,
Sathuvacherry, Vellore-9.
3. The District Collector,
Thirupattur District Collectorate,
Thirupattur District,
Thirupattur - 635 601.
4. The District Revenue Officer,
Thirupattur District Collectorate,
Thirupattur District,
Thirupattur - 635 601.
5. The Thasildhar,
Vaniyambadi Taluk,
Thirupattur District - 635 751.

...Respondents

PRAYER:The Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction in the nature of Writ directing the 2nd respondent to measure the four boundaries and to fix the four boundaries of the land to an approximately an extent of Acre 19.75 Cents in S.No.35/1U3 at Chimmakampattu Village, Vaniyambadi Taluk, Thirupattur District as per the Chitta, patta and FMB sketch with the help of the Surveyor based on the representation/application submitted to the 2nd respondent on 18.11.2021.



For Petitioner : Mr.G.Saibaba

For Respondent : Mr.T.Chezhiyan
Additional Government Pleader

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O R D E R

Writ Petition has been filed to direct the 2nd respondent to measure the four boundaries and to fix the four boundaries of the land to an approximately an extent of Acre 19.75 Cents in S.No.35/1U3 at Chimmakampattu Village, Vaniyambadi Taluk, Thirupattur District as per the Chitta, patta and FMB sketch with the help of the Surveyor based on the representation/application submitted to the 2nd respondent on 18.11.2021.

2.Since no adverse orders are passed against the respondents, notice to them is not necessary and this Court is inclined to dispose of the case based on the available materials.

3.The case of the petitioner is that his father A.E.Thangavelu Gounder got his share of punjai land in S.F.No.35/1U3 at Chimmakampattu Village, under compromise decree in O.S.No.6 of 1964 dated 29.04.1977 and after the death of his father, the petitioner along with his brother enjoyed the property as legal heirs and all their names were included in the chitta and patta by the Thasildhar, Vaniyambadi and in this regard, the patta no.58 was issued in favour of the petitioner and other co-owners. While so, due to COVID-19 pandemic situation, the petitioner was not able to visit his land frequently and when he made a visit, he was shocked to note that his land's boundary marking stone was removed by the northern side neighbour's and other land owners. Hence, the petitioner applied before the Thasildhar, Vaniyambadi / 5th respondent herein to measure the four boundaries as per chitta and patta and to fix the four boundaries of the land. Since the series of representations were not considered, the petitioner has sent a detailed representation dated 18.11.2021 and 19.11.2021. Despite the receipt of the said representation, the respondents failed to consider the same. Hence the petitioner is constrained to approach this Court by filing this petition.

4.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 18.11.2021 and pass orders on the same within a particular time frame fixed by this Court.

5.The learned Government Advocate has no objection for said order being passed.



6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to consider the petitioner's representation dated 18.11.2021 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

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5. The Thasildhar,
Vaniyambadi Taluk,
Thirupattur District - 635 751.

+6cc to Mr.G.Saibaba, Advocate, S.R.No.8586

+1cc to the Government Pleader, S.R.No.9251

W.P.No.1863 of 2022

KG(CO)
RGA(11/03/2022) (16/03/2022)