



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.9166 of 2022

K.Sudhakar

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Kallakurichi District 606 206.
2. The Tahsildar
Kallakurichi Taluk,
Kallakurichi District 606 202.
3. The Land Surveyor,
Tahsildar Office, Kallakurichi Taluk,
Kallakurichi District 606 202.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second and third respondents to measure and demarcate of the petitioner's properties comprising in Survey Nos.251/1A, 251/1D, 252/3, 253/7B, 253/7D and 329/8A, measuring 1 Acre 41 Cents, vide Patta No.1788, situated at Prithivimanagalam Village & Post, Kallakurichi Taluk & District, within Registration District of Kallakurichi, Sub-Registration District of Thiyyagaduruvam, within a stipulated time may be fixed by this Court.

For Petitioner : Mr.J.Agni Selvaraju

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the second and third respondents to measure and demarcate the petitioner's properties comprising in Survey Nos.251/1A, 251/1D, 252/3, 253/7B, 253/7D and 329/8A, measuring 1 Acre 41 Cents, vide Patta No.1788, situated at



Prithivimanagalam Village & Post, Kallakurichi Taluk & District, within Registration District of Kallakurichi, Sub-Registration District of Thiyaaduruvam, within a stipulated time may be fixed by this Court.

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2. The case of the petitioner is that the petitioner's father had executed a Settlement Deed dated 27.05.2010 in favour of the petitioner and his brother K.Subramani and the same was registered vide Document No.1608 of 2010. Thereafter, the petitioner and his brother are the absolute owners of the aforesaid property. While so, the petitioner has made an application dated 31.12.2019 under Section 10 of the Tamilnadu Land Survey and Boundaries Act, 1923, seeking to measure and demarcate the petitioner's land. Further, in order to demarcate his property, the petitioner has paid the necessary deposit fee of Rs.480/- towards survey charge before the second respondent. As the said application made by the petitioner, has evoked no response from the respondents. Therefore, the petitioner had continuously approached before the second and third respondents to consider the petitioner's application dated 31.12.2019. However, till date, no order has been passed. Hence, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the second and third respondents to consider the petitioner's application/representation dated 31.12.2019 and pass orders on the same within a particular time frame fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the second and third respondents to consider the petitioner's application/representations dated 31.12.2019 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

jd/rap



To

1. The District Collector,
Collectorate,
Kallakurichi District 606 206.
2. The Tahsildar
Kallakurichi Taluk,
Kallakurichi District 606 202.
3. The Land Surveyor,
Tahsildar Office, Kallakurichi Taluk,
Kallakurichi District 606 202.

+1cc to Mr.J.Agni Selvaraju, Advocate, S.R.No.25683

+1cc to the Government Pleader, S.R.No.26393

W.P. No.9166 of 2022

GPL (CO)
SU(29/04/2022)