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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10891 of 2022

J.Krishnaveni

...Petitioner

Vs.

1. The Tahsildar,  
Perundurai Taluk Office,  
Erode District - 638 052.

2. The Taluk Land Surveyor,  
Perundurai Taluk Office,  
Erode District - 638 052.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to carry out proper comprehensive field survey measurement work for fixing the appropriate boundary line at the petitioner's land situated in R.S.No.473/5, Vadamugam Vellode Village, Perundurai Taluk, Erode District, after considering the representation of the petitioner dated 01.03.2022 in accordance with law expeditiously within a time frame as may be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.Yogesh Kannadasan, Spl.GP

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 01.03.2022 and carry out field survey measurement work for fixing the appropriate boundary line at the petitioner's land.



2. Learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

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3. The case of the petitioner is that, she claims to be the owner of the property comprised in R.S.No.473/5, measuring an extent of punja acre 0.08 cents, situated at Mannankattu Pallam, Vadamugam Vellode Village, Perundurai Taluk, Erode District and the same was conveyed in her favour by her husband and sons, vide registered Git Settlement Deed document bearing No.3211/2014 dated 15.05.2014. Pursuant to the said conveyance, the petitioner is in peaceful possession and enjoyment of the said property and the revenue records were also transferred to her name and the petitioner is doing agricultural activities in the above said land. Whiles, as there is no proper boundary fencing in the petitioner's land, there arose some dispute in between the petitioner and the adjacent land owners. Therefore, the petitioner made a representation dated 08.02.2022 before the 1st respondent, however, no action has been initiated by the 1st respondent. Aggrieved by the said inaction, the petitioner made another representation dated 01.03.2022 before the respondents herein, requesting to survey the petitioner's land and fix proper boundary line, enabling the petitioner to lay fencing stones in her land, however, till date, no orders have been passed on the same. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 01.03.2022 on merits and survey the petitioner's land and fix the boundary line as expeditiously as possible.

5. Learned Special Government Pleader appearing on behalf of the respondents has no serious objection for said order being passed and he fairly conceded that the petitioner's representation dated 01.03.2022 will be considered and appropriate orders will be passed within the time frame that may be fixed by this Court.

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 01.03.2022 on merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. This writ petition is accordingly disposed of. No costs.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

skt

To

1. The Tahsildar,  
Perundurai Taluk Office,  
Erode District - 638 052.
2. The Taluk Land Surveyor,  
Perundurai Taluk Office,  
Erode District - 638 052.

+1cc to Mr.R.Prabakar, Advocate, S.R.No.32505  
+1cc to the Government Pleader, S.R.No.33031

W.P.No.10891 of 2022

PL[co]  
NSK/17/06/2022