



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11265 OF 2022

Tamilselvi

... Petitioner

Vs.

1. The District Collector,
Villupuram District.
2. The Revenue Tahsildar,
Tindivanam Taluk,
Villupuram District.
3. Mrs.Banu
4. Mr.A.Sathish

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to measure and fix the boundaries of the property of the petitioner comprised in Old Survey No.71/20 new Survey No.107 & 109 measuring an extent of five cents purchased by him under the sale deed registered as Document No.358/89, Date: 20.03.1989 in Ooral Village, Tindivanam Taluk, Villupuram District.

For Petitioner : Mr.M.Elumalai

For R1 & R2 : Mr.P.Sathish
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first and second respondents to measure and fix the boundaries of the property of the petitioner comprised in Old Survey No.71/20 new Survey Nos.107 & 109, measuring an extent of five cents purchased by her under the



sale deed, registered as Document No.358/89, dated 20.03.1989, in Ooral Village, Tindivanam Taluk, Villupuram District.

2. The case of the petitioner is that the petitioner had purchased the aforesaid property by way of a registered Sale deed, dated 20.03.1989, vide Document No.358 of 1989, on the file of Sub-Registrar Office, Avaraipakkam. Subsequent to the purchase of the aforesaid property, the petitioner had mutated all the Revenue Records and obtained Patta, vide Patta No.138 issued by the Special Tahsildar, Tindivanam, and Chitta also stands in the name of the petitioner with respect to the aforesaid property. Further, the petitioner had constructed a small house measuring an extent of 3 cents out of 5 cents and left the remaining 2 cents of land. The grievance of the petitioner is that the adjacent land owners/private respondents have attempted to put up a compound wall in the land, which belonged to petitioner. Therefore, the petitioner made a representation dated 20.01.2021 (stated in the affidavit filed in support of Writ Petition as 18.01.2021), which was received by the District Collector on 02.02.2021, by enclosing the documents of title, such as Sale Deed, Patta and Chitta in his name, seeking to measure and survey his property and fix the boundaries on four sides in respect of the aforesaid land. Further, the first respondent, by order dated 08.02.2021, directed the second respondent to take action on the said application dated 20.01.2021. However, the second respondent has not considered the said application and passed any order. Again, the petitioner has made a representation dated 29.12.2021, through online during Jamabanthi before the first respondent, which is endorsed by the Tahsildar concerned. As the said representation and Jamabanthi representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it is sufficient, if this Court issues direction to the second respondent to consider the petitioner's representation dated 20.01.2021, followed by Jamabanthi dated 29.12.2021 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. Since no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 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 second respondent to consider the petitioner's representation dated 20.01.2021, followed by Jamabanthi dated 29.12.2021, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and the private respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

7. 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,
Villupuram District.
2. The Revenue Tahsildar,
Tindivanam Taluk,
Villupuram District.

+1cc to Mr.M.Elumalai, Advocate, S.R.No.30211

W.P.No.11265 of 2022

SR-II(CO)
RLP(20/05/2022)