



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WP.NO.11625 OF 2022

AND

WMP.NO.11099 OF 2022

Sugumar

...Petitioner

Vs

1.The Tahsildar
Ponneri Taluk,
Thiruvallur District.

2.The Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.

3.Prabhakaran

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus direct the 1st respondent to measure the property and demarcate and fix the boundary of the petitioners property in No.106 Jaganathapuram, Athipedu Village, Ponneri Taluk, Thiruvallur District in Old S.No.117 New S.No.461/6, 461/9 of an extent of 2292 sq.ft with the help of the 2nd respondent.

For Petitioner : Mr.T.Gnana Banu

For Respondents : Mr.M.Murali, GA

ORDER

This writ petition is filed seeking direction to the 1st respondent to measure the property and demarcate and fix the boundary of the petitioners property in No.106 Jaganathapuram, Athipedu Village, Ponneri Taluk, Thiruvallur District in Old S.No.117 New S.No.461/6, 461/9 of an extent of 2292 sq.ft with the help of the 2nd respondent.

2. The case of the petitioner is that he is the absolute owner of the property which is situated at No.106 Jaganathapuram, Athipedu Village, Ponneri Taluk, Thiruvallur District in Old S.No.117 New S.No.461/6, 461/9 of an extent of 2292 sq.ft. The said property is his ancestral property. The



petitioner is in possession and enjoyment of the property. In the meanwhile, the third respondent, who is the neighbor, had constructed the by encroaching his property and the petitioner has objected the same.

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The petitioner made a complaint before the second respondent Police on 17.03.2022 to stop illegal encroachment and construction by the third respondent in his property. Immediately the petitioner made a representation to the first respondent to survey his land and fix the boundaries. Till date, the said representation was not considered and hence, the present writ petition has been filed before this Court seeking with afore said prayer.

3. The learned counsel for the petitioner submitted that this Court may issue a suitable direction to the first respondent to consider the petitioner's representation dated 16.03.2022 and pass appropriate orders within the time stipulated by this Court.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner's representation dated 16.03.2022 will be considered and suitable orders will be passed on merits within the stipulated period as fixed by this Court.

5. Heard, both sides and perused the materials available on record. Since no adverse orders are being passed against the private respondent, notice on the third respondent is dispensed with.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, direct the first respondent to consider the petitioner's representation dated 16.03.2022 and take necessary steps to survey the property and fix the boundaries, after affording opportunity to the petitioner as well as the 3rd respondent, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Rli



To

1.The Tahsildar
Ponneri Taluk,
Thiruvallur District.

2.The Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.

+1cc to M/s.T.Gnana Banu, Advocate Sr.No.30311

+1cc to the Government Pleader Sr.No.31029

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MG(CO)
RVM(23/05/2022)