



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.14269 OF 2022

Arokiyadoss

...Petitioner

Vs.

1.The Tashildar
Vikravandi,
Villupuram District.

2.The Surveyor
Vikravandi,
Villupuram District.

3.Annamari

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 23.03.2022 and inspect and survey the lands situate at survey No.448/3C7, 26 Kakanoor Village, Vikravandi, Villupuram District.

For Petitioner : Ms.R.Poornima

For Respondents : Mr.Yogesh Kannadasan for R1 & R2
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 23.03.2022 and inspect and survey the lands situate at survey No.448/3C7, 26 Kakanoor Village, Vikravandi, Villupuram District.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the first and second respondents. In view of the limited relief sought for in this petition, On the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.



3. The facts of the case is that the petitioner's property in Survey Nos.448/3C7, 448/25, 26 and 27 measuring an extent of 55 cents Kakanoor Village, Vikravandi, Villupuram District belongs to the petitioner's grandfather Savarimuthu. His grandfather mortgaged the aforementioned property with the bank and obtained agricultural loan. Thereafter, the said Savarimuthu was in enjoyment of the property till his death and he expired leaving behind his five children. Subsequently there, was an oral partition among the legal heirs of Savarimuthu and each was allotted 11 cents. Based on the oral arrangement between the family members the legal heirs were in possession and enjoyment of the property. Thereafter, the petitioner's father's younger brother sold his portion of property on 17.11.1995 to the third respondent under a registered instrument. In the said sale deed one of the boundary mentioned on the western side was his father's property. The said third respondent was given 10 cents under the sale deed by the petitioner's father's younger brother. Thereafter, the petitioner's father was died on 28.07.2020 leaving behind his family members. The third respondent was constantly disturbing the petitioner's possession and therefore, the petitioner has approached the Revenue Authorities seeking for surveying the land. On 23.03.2022 and 30.03.2022 the petitioner has given representation to the Authorities to survey the land. But the respondents have not taken any steps to survey the land. Hence, this present petition is filed.

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 first respondent to consider the petitioner's representation dated 23.03.2022 and pass orders on the same within a particular time frame fixed by this Court.

5.The learned Special Government Pleader appearing for the official respondents have 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 first respondent to consider the petitioner's representation dated 23.03.2022 on merits and in accordance with the Survey and Boundaries Act, 1923 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-VIII)

// True Copy //

Sub Assistant Registrar

dna/sk



To

1.The Tashildar
Vikravandi,
Villupuram District.

2.The Surveyor
Vikravandi,
Villupuram District.

+1cc to Mrs.R.Poornima, Advocate Sr.No.33354

+1cc to the Government Pleader Sr.No.34503

W.P.No.14269 of 2022

EV(CO)
RVM(24/06/2022)