

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26717 of 2014

P.Sevuthikannu

... Petitioner

Vs.

1. The Thasildar,
Kudavasal Talukh,
Thiruvarur District.

2. The Town Surveyor,
Kudavasal Talukh, Kudavasal,
Thiruvarur District.

3. The Inspector of Police,
Kudavasal Police Station, Kudavasal,
Thiruvarur District.

4. Mr.Gunasekaran

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to measure and demarcate the lands situated in survey No.89/8, 89/16, 89/17, 89/19, 89/21 and 89/8 and 88/14 F at 5 Kapanamangalam Village, Kudavasal Taluk, Tiruvarur District, within the time stipulated by the Court.

For Petitioner : Mr.Veera Kathiravan

For Respondents: Mr.T.Chezhiyan
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents herein to measure and demarcate the lands situated in survey No.89/8, 89/16, 89/17, 89/19, 89/21 and 89/8 and 88/14 F at 5, Kapanamangalam Village, Kudavasal Taluk, Tiruvarur District, within the reasonable time.

2. The case of the petitioner is that the petitioner is an agriculturist carrying out agricultural activities in his land in S.F.Nos.89//,89/16,89/17,89/19,89/21 and 89/8 and 88/14F at 5, Kapanamangalam Village, Kudavasal Taluk, Tiruvarur District. While so, the adjacent land owners more particularly, the 4th respondent and his brother is encroaching his lands by disrupting his agricultural activities. Hence, the petitioner gave a detailed representation and filed an application to appoint Taluk Surveyor in order to measure his agricultural land and submitted all documents and revenue records by paying necessary charges to measure and demarcate his land. The 1st respondent through his proceedings dated 15.09.2012, directed the 3rd respondent to measure the above said lands and demarcate its boundaries. However the officials apprehending law and order problem fled away from the scene of occurrence and the 3rd respondent communicated the above said occurrence to the 1st respondent through his letter dated 04.09.2013 and thereafter there is no response from the official respondents regarding the said issue and the inaction on the part of the respondents is causing severe hardship to the petitioner. Hence the present petition is filed.

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 respondents to measure and demarcate the lands situated in the above said survey numbers and prays for appropriate orders in that regard.

4. The learned Additional Government Pleader appearing for the official 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 1st respondent to re-consider the Nil dated petitioner's representation to measure and demarcate the lands, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order and for ready reference, the petitioner is directed to send copy of the representation along with the order copy to enable the 1st respondent to consider the same. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Thasildar,
Kudavasal Talukh,
Thiruvarur District.
2. The Town Surveyor,
Kudavasal Talukh, Kudavasal,
Thiruvarur District.
3. The Inspector of Police,
Kudavasal Police Station, Kudavasal,
Thiruvarur District.

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NK(CO)
SU(17/03/2022)