



W.P.No.29086 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.29086 of 2022

V.Palanisamy

... Petitioner

VS.

1.The Tahsildar,
Sulur Taluk,
Coimbatore District.

2.The Taluk Surveyor,
Sulur Taluk,
Sulur, Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to measure the petitioner's property measuring about 1.52 Acres in S.F.No.677/12A (Old S.F.No.677/12), and 0.16 Acres of land in S.F.No.677/10 and 0.02 Acres of land in S.F.No.677/11B (Old S.F.No.677/12) in Moparipalayam Village of Sulur Taluk in Coimbatore District and fix and boundaries by considering the petitioner's representations dated 31.07.2020 and 21.09.2020.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.U.Baranidharan
Additional Government Pleader



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ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to measure the petitioner's property measuring about 1.52 Acres in S.F.No.677/12A (Old S.F.No.677/12), and 0.16 Acres of land in S.F.No.677/10 and 0.02 Acres of land in S.F.No.677/11B (Old S.F.No.677/12) in Moparipalayam Village of Sulur Taluk in Coimbatore District and fix and boundaries by considering the petitioner's representations dated 31.07.2020 and 21.09.2020.

2.The case of the petitioner is that the property originally belongs to his grand father Periya Narayana Gounder through a Partition Deed dated 04.09.1968 registered as Doc.No.1477 of 1968. On 04.06.1980, the properties were partitioned between the said Periya Narayana Gounder and his legal heirs wherein the subject land in S.F.No.677/12 was allotted to the petitioner's father as 'B' Schedule property. While so, the petitioner's father died intestate on 01.03.2000 leaving behind his widow wife, two sons, including the petitioner and a daughter. Thereafter, the petitioner, on behalf of the other legal heirs of the property made an application dated 31.07.2020 to the respondents requesting them to measure the property in S.F.No.677/12A,



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10, 11B and another application dated 21.09.2020 was made to the 1st respondent to measure the above said property. However, till date, the petitioner's representation was not considered and hence, the petitioner has come forward with the present Writ Petition.

3.The learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the respondent to consider the representations of the petitioner dated 31.07.2020 and 21.09.2020 S.F.No.677/12A, 10, 11B and pass appropriate orders.

4.Mr.U.Bharanidharan, learned Additional Government Pleader, appearing for the respondents submits that if any direction is given by this Court, the same will be complied with.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's representations dated 31.07.2020 and 21.09.2020 by conducting survey in the land and fix the boundaries situated in the S.F.No.677/12A, 10, 11B in Moparipalayam Village of Suler Taluk in Coimbatore District, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks



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from the date of receipt of a copy of this order.

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6. This Writ Petition is accordingly is disposed of. No costs.

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Index : Yes/No
Speaking Order : Yes/No
gba

To

- 1.The Tahsildar,
Sulur Taluk,
Coimbatore District.
- 2.The Taluk Surveyor,
Sulur Taluk,
Sulur, Coimbatore District.



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M.DHANDAPANI,J.

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