



W.P.No.31042 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31042 of 2022

1.Govindammal
2.Shanmugam
3.Kasiyamma

... Petitioners

Vs.

1.The Tahsildar,
Palacode Taluk,
Dharmapuri District.

2.The Firka Surveyor,
Pulikkurai,
Palacode Taluk,
Dharmapuri Distirct.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to measure the land and earmark the boundaries comprised in S.F.No.37/1A, Kattanahalli, Village & post, Palacode Taluk, Dharmapuri District by considering the petitioner's representation dated 14.10.2022.

For Petitioner : Mr.P.Settu



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For Respondents : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the the respondents to measure the land and earmark the boundaries comprised in S.F.No.37/1A, Kattanahalli, Village & post, Palacode Taluk, Dharmapuri District by considering the petitioner's representation dated 14.10.2022.

2. The case of the petitioners is that the aforesaid property with different extent was purchased by them by way of four different Sale Deeds registered as Doc.Nos.1849 of 2009, 1102 of 2009, 828 of 1995 and 531 of 2017 each dated 17.07.2009, 29.04.2009, 21.04.1995 and 20.03.2017 respectively. From the date of purchase of the property, the petitioners are in absolute enjoyment and possession of the property. Since, the adjacent land owners are trying to damage the boundaries, the petitioner gave a representation dated 19.06.2020 and remitted necessary fees through challan to the 1st respondent to subdivide the land comprised in S.F.No.37/1A, Kattanahalli Village and Post and a reminder of the same on 14.10.2022 and



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remitted the necessary charges on 12.10.2022 to the respondents to survey the property by fixing boundaries in the aforesaid property. As the said representation made by the petitioner has evoked no response, the petitioner has filed this present Writ Petition.

3.The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to measure the land and earmark the boundaries comprised in S.F.No.37/1A, Kattanahalli, Village & post, Palacode Taluk, Dharmapuri District by considering the petitioner's representation dated 14.10.2022 and pass orders on the same within a particular time frame fixed by this Court.

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 respondents to consider the



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petitioner's request to survey and demarcate the boundary of petitioners' land based on petitioner's representation dated 14.10.2022, 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.

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

22.11.2022

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

To

1.The Tahsildar,
Palacode Taluk,
Dharmapuri District.

2.The Firka Surveyor,
Pulikkurai,
Palacode Taluk,
Dharmapuri Distirct.

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M.DHANDAPANI,J.

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