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W.P.No.31083 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31083 of 2022

R.Perumal

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.

3.The Tahsildar,
Gobichettipalayam Taluk,
Gobichettipalayam, Erode District.

4.The Taluk Head Surveyor,
Gobichettipalayam Taluk,
Gobichettipalayam, Erode District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take action to dispose of the petitioner's representation dated 07.07.2022, submitted with regard to survey the petitioner's land by metes and bounds, land properties of an total extent of



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- (i)an extent of Acre 1.79 Cents in Survey No.259B2
- (ii)an extent of Acre 0.11 Cents in Survey No.263
- (iii)an extent of Acre 2.50 Cents in Survey No.253B2
- (iv)an extent of Acre 0.67 Cents in Survey No.250
- (v)an extent of Acre 0.15 Cents in Survey No.260
- (vi)an extent of Acre 0.3 ½ Cents in Survey No.250, (common way)
- (vii)an extent of Acre 0.8 Cents in Survey No.259B2, (Well, Vaari, Thotti common usage),

in Boothimadi Pazhaiyur Village, Gobichettipalayam Taluk, Erode District, by way of registered Partition Deed dated 12.04.1971, in Doc.No.693 of 1971, at Sub-Registrar, Gobichettipalayam, which was executed among the petitioner's co-share-holders namely 1.R.Chellapa Gounder and 2.R.Perumal Gounder, by making proper sub-division.

For Petitioner : Mr.V.Logeswaren

For Respondents : Mr.U.Baranidharan
Additional Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the respondents to take action to dispose of the petitioner's representation dated 07.07.2022, submitted with regard to survey the petitioner's land by metes and bounds, land properties in Boothimadi



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Pazhaiyur Village, Gobichettipalayam Taluk, Erode District, by way of registered Partition Deed dated 12.04.1971, in Doc.No.693 of 1971, at Sub-Registrar, Gobichettipalayam, which was executed among the petitioner's co-share-holders namely 1.R.Chellapa Gounder and 2.R.Perumal Gounder, by making proper sub-division.

2. The case of the petitioner is that the aforesaid property originally belongs to petitioner by way of registered Partition Deed dated 12.04.1971, in Doc.No.693 of 1971, at Sub-Registrar, Gobichettipalayam, which was executed among his co-share-holders namely 1.R.Chellapa Gounder and 2.R.Perumal Gounder. The petitioner is in continuous possession and enjoyment of the property. Thereafter, the petitioner gave a representation dated 07.07.2022 to the 3rd and 4th respondents to enter his name in the Revenue Records based on the above said Partition Deed and also to survey the property by fixing boundaries in the aforesaid lands. As the said representation made by the petitioner has evoked no response, the petitioner has filed this present Writ Petition.



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3.The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's request to survey and demarcate the boundary of petitioner's land in the above said Survey numbers on 07.07.2022 and pass orders on the same within a particular time frame fixed by this Court.

4. Mr.U.Bharanidharan, learned Additional Government Advocate 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 petitioner's request dated 07.07.2022 to survey and demarcate the boundary of petitioner's land 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.



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

To

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M.DHANDAPANI,J.

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