



WEB COPY

W.P. No.32811 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.32811 of 2023

and

W.M.P. Nos.33639 and 32440 of 2023

1. R.Sekar

2. R.Durai

... Petitioners

Vs.

1. The District Collector
Tiruvallur District

2. The Tahsildar
Poonamallee Taluk
Poonamallee
Tiruvallur District

3. The Head Surveyor
Tahsildar Office, Poonamallee
Poonamallee Taluk, Tiruvallur District

... Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to survey and fix the boundary stones for the lands comprised in New Survey No.704(2), Old Survey No.147, No.64, Perumal Koil Street, Rajankuppam, Ayambakkam Post, Tiruvallur District forthwith.

For Petitioner : M/s.T.Dharani

For Respondents : Mr.P.Gurunathan

Additional Government Pleader



ORDER

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The writ petition is filed to issue a writ of Mandamus directing the respondents to survey and fix the boundary stones for the lands comprised in New Survey No.704(2), Old Survey No.147, No.64, Perumal Koil Street, Rajankuppam, Ayambakkam Post, Tiruvallur District forthwith, based on the E-challan dated 23.01.2023.

2. Today when the matter is taken up for hearing, it was brought to the notice of this Court that the writ petition is filed on behalf of a dead person which shows that the petitioner has not approached this Court with clean hands.

3. The revenue officials who appeared before this Court today, submitted that already they attempted to conduct the survey but, due to the dispute between the petitioner and the adjacent land owners, they could not conduct the survey within the time stipulated in the circular issued by the Commissioner of Land Administration.

4. Suppressing all the above said facts, the present writ petition is filed. Therefore, the petitioners are not entitled for the the relief sought for in this writ petition.



5. Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition in WMP No.33639 of 2023 is closed. The WMP No.32440 of 2023 is ordered on payment of separate Court Fee. There shall be no order as to the costs.

30.11.2023

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Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No



To

1. The District Collector
Tiruvallur District
2. The Tahsildar
Poonamallee Taluk
Poonamallee
Tiruvallur District
3. The Head Surveyor
Tahsildar Office, Poonamallee
Poonamallee Taluk, Tiruvallur District



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P.VELMURUGAN. J.

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