



WEB COPY



W.P.No. 34023 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.34023 of 2023

K.E.Umapathy

... Petitioner

Versus

1.The Revenue Divisional Officer,
Vellore District Collector Office,
Vellore District,
Vellore-632009.

2.The Tahsildar,
Tahsildar Office,
Anaicut-632101,
Vellore District, Vellore.

3.The Town Surveyor,
Anaicut Taluk Office,
Athiyur Village-632105.
Vellore District.

4.The Village Administrative Officer,
Anaicut Taluk,
Athiyur Village-632105,
Vellore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to take appropriate action on the basis of the representation dated 09.10.2023 given by the petitioner to survey his property to an extent of one acre situated in survey no.438/7 at Athiyur village, Anaicut vattam,



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For Petitioner : Mr. L.Infant Dinesh
For Respondents : Mrs. Senthil Selvi,
Government Advocate.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

2. The prayer in the writ petition is to direct the second respondent to take appropriate action on the basis of the representation dated 09.10.2023 given by the petitioner to survey his property to the extent of one acre, situated in Survey No.438/7 at Atrhiyur village, Anaicut vattam, Vellore District.

3. The case of the petitioner is that he owns a one-acre property in Athiyur Village, Vellore District, acquired through a registered sale deed. With an intent to survey the land, the petitioner has paid necessary fees and submitted documents to the Anaicut Taluk Office, where a



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surveyor measured only some parts of the property, provided a partial sketch of the land in question on October 2020. To fence the land and to prevent the encroachments, the petitioner submitted another request to the second respondent along with the sketch issued by the authorities in July 2023, yet faced 87-day delay without any action. Despite his repeated submissions, follow-ups, and a formal representation, the authorities failed to initiate the necessary actions on the petitioner's request. Lastly, the petitioner has sent representation dated 09.10.2023 to the second respondent to measure his land. Since no action has been taken by the second respondent, the present writ petition has been filed seeking directions.

4. Under such circumstances, it is sufficient to direct the second respondent to consider the petitioner's application dated 09.10.2023 by issuing notice to the petitioner and also to the adjacent owners of the land situated at the four boundaries of the petitioner's property and conduct an enquiry, if necessary and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.



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5. With the above directions, the Writ Petition is disposed of. No costs.

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

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To:

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Vellore-632009.
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Anaicut-632101,
Vellore District, Vellore.
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P. VELMURUGAN, J.

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