



W.P.No.34899 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 18.12.2023

Coram:

THE HON'BLE MR JUSTICE P. VELMURUGAN

W.P.No.34899 of 2023

A.Vinothkumar

...Petitioner

Versus

1.Village Administrative Officer,
Kathivakkam Village,
Tiruvotriyur Taluk,
Tiruvallur District.

2.Town Surveyor,
Tahsildar Office,
Thiruvotriyur Taluk,
Tiruvallur District.

3.Tahsildar,
Tahsildar Office,
Tiruvotriyur Taluk,
Tiruvotriyur District

...Respondents

Prayer: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the respondents to appoint appropriate surveyor to measure and fix the boundaries of the property in village Natham S.No.45/2 (As per Patta No.1333, Old S.No.22, T.S.No.6), extent of 624.5 sq.ft. of house site out of 1249.5 sq.ft. bearing a registered sale deed dated 29.11.2017 bearing sale deed No.7599/2017 as per the request dated 11.10.2023 forthwith.



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For Petitioner : M.Kavitha
For Respondents : Mrs.Senthilselvi
Government Advocate

ORDER

This writ petition is filed for a simple writ of Mandamus, directing the respondents to appoint appropriate surveyor to measure and fix the boundaries of the property in village Natham S.No.45/2 (As per Patta No.1333, Old S.No.22, T.S.No.6), extent of 624.5 sq.ft. of house site out of 1249.5 sq.ft. bearing a registered sale deed dated 29.11.2017 bearing sale deed No.7599/2017 as per the request dated 11.10.2023.

2. M.Kavitha, learned counsel for the petitioner submits that the petitioner concern is that the petitioner purchased the property jointly along with his wife and for the same property they applied for issuance of patta by writing an application to the concerned respondent and the same application was received by the respondents but till now the respondents did not take any action and the patta has not been received in his wife's name for which they filed this W.P.No.34899 of 2023 before this Hon'ble Court under Article 226 of the Constitution of India, with a



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prayer to issue a writ of Mandamus, directing the respondents to appoint appropriate surveyor to measure and fix the boundaries of the property in village Natham S.No.45/2 (As per Patta No.1333, Old S.No.22, T.S.No.6), extent of 624.5 sq.ft. of house site out of 1249.5 sq.ft. bearing a registered sale deed dated 29.11.2017 bearing sale deed No.7599/2017 as per the request dated 11.10.2023.

3. Learned counsel for the petitioner further submits that even after one year, the respondents have not taken any steps to conduct the survey and the same is pending before the 3rd respondent/ Tahsildar Office, Tiruvotriyur Taluk. Therefore, the 3rd respondent is directed to issue notice to the petitioner herein and adjacent owner of the four boundaries of the subject property and also the interested parties and all the rival claimants as the case may be. After giving notice to all the parties and conducting the enquiry in a manner known to law, and pass order in accordance with law.

4. Based on the order of this Court, the Commissioner of Land Administration issued a circular No.RL/2005632/2022 dated 17.07.2023.



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Wherein time limit has been fixed to dispose of the representation relating to the Revenue matters and even after the directions of this Court and said circular the petitioner was not called for any proceedings to conduct the enquiry. Therefore, the District Collector/Competent Authority/Disciplinary Authority as the case may be, are directed to take Departmental Action against the 3rd respondent for violation of above said Court's order and the circular, after taking departmental action, that action taken report be filed before this Court along within a period of two (2) months from the date of receipt of copy of this order.

5. With the above observations and direction, this writ petition stands disposed of. There shall be no order as to costs.

18.12.2023

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

- 1.The District Collector,
Office of the Collectorate,
Krishnagiri District – 635 115.
- 2.The Tahsildar
Uthangarai Tahsildar Office,
Police Station Road,
Uthangarai Taluk,
Krishnagiri District – 635 207.
- 3.The Head Surveyor,
Uthangarai Taluk Office,
Krishnagiri District – 635 207.



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P. VELMURUGAN,J.

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