



W.P. No.5536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5536 of 2024

M.Sakthi

... Petitioner

Vs.

1.The Tashildhar,
Hosur Taluk,
Krishnagiri District.

2.Vijayakumar

3.Selvasrinivasan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to dispose of the application dated 01.11.2023 submitted by the petitioner to the respondent and to point out the field boundary line of the petitioner's land mentioned in the application.

For Petitioner : M/s. Sarvabhauman Associates

For Respondents : Mr. A. Selvandran,
Special Government Pleader. (for R1)



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ORDER

This Writ Petition is filed to issue a Writ of Mandamus to direct the 1st respondent to dispose of the application dated 01.11.2023, submitted by the petitioner to point out the field boundary line of the petitioner's land mentioned in the application.

2. The learned counsel for the petitioner submitted the petitioner purchased the property in question vide a registered sale deed and the Patta stands in his name. While so, the 2nd respondent who is the neighbouring land owner was trying to intrude into the petitioner's land and acted in undesirable manner. Hence, the petitioner made an application before the respondent on 27.10.2023 to point out field boundary line on the petitioner's land. But there was no response. Hence, the petitioner sent another application on 01.11.2023. Though a communication was sent by the authorities stating that on 26.12.2023 at 11 a.m., the petitioner's land would be survey, they did not turn up on the said date. Thereafter, when the



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petitioner approached the authorities, their attitude was reluctant and disorderly. Hence, the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the 1st respondent.

4. Since the respondents 2 and 3 are unnecessary parties, this Writ Petition is dismissed as against the respondents 2 and 3 herein with cost.

5. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's application, this Court without expressing any opinion with regard to the merits of the case, directs the 1st respondent to issue notice to the petitioner and to the adjacent land owners of the four boundaries of the subject land and also to the rival claimants/interested parties/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, within the time as prescribed in the circular



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No.R1/2005632/2022 dated 17.07.2023 issued by the Commissioner of Land Administration, from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of at the admission stage itself as against the 1st respondent is concerned. No costs.

7. As stated above, this Writ Petition is dismissed as against the respondents 2 and 3 herein with cost of Rs.10,000/- (Rupees Ten Thousand Only). The petitioner is directed to pay the said cost to the credit of Chief Justice Relief Fund.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

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To
The Tashildhar,
Hosur Taluk,
Krishnagiri District.



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P.VELMURUGAN. J.

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