



WEB COPY

W.P.No.4027 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4027 of 2024

P.Venkatesan

... Petitioner

Vs.

1. The Tahsildar
Kurinjipadi Taluk
Cuddalore District

2. The Assistant Director
Survey & Land Records Department
Cuddalore

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 09.11.2023 and to survey the land to an extent of 110 Sq. Mtr. comprised in Old Survey No.478, 481 and 489, New Survey No.928/10 of Puliur Village, Cuddalore District and demark the boundaries by putting up boundary stones.

For Petitioner : Mr.S.Ravichandran

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate



ORDER

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This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 09.11.2023 and to survey the land to an extent of 110 Sq. Mtr. comprised in Old Survey No.478, 481 and 489, New Survey No.928/10 of Puliur Village, Cuddalore District and demark the boundaries by putting up boundary stones.

2. The learned counsel for the petitioner submitted that it would suffice if a direction is issued to the respondents to consider the petitioner's representation within a time as may be fixed by this Court.

3. Mr.S.J.Mohamed Sathik, learned Government Advocate takes notice for the respondents.

4. Heard and perused the materials available on record.

5. In the affidavit, filed by the petitioner itself, the petitioner has stated that already the respondents conducted Survey on 05.05.2022 and also laid the survey stones. However, one Chinnadurai, who is his neighbour removed the survey stones and that the said Chinnadurai has been in the habit of picking up frequent quarrels with him regarding boundary of the property and thereby, causing immense troubles to him and to his family members. However, the petitioner not impleaded the said neighbour as a party to this



case and once again he has made an application before the respondents to conduct survey. Since the respondents have not taken steps, the petitioner has filed the present Writ Petition before this Court.

6. As stated above, the respondents have already conducted the survey and shown the boundaries and also laid the survey stones and if at all, any third party is giving trouble from enjoying the property, the petitioner should approach the Civil Court to work out his remedy in the manner known to law or in case of removal of survey stones by any third parties, he should approach the Criminal Court and not the Writ Court. Under these circumstances, the petitioner is not entitled to the relief sought for.

7. Accordingly, this Writ Petition is dismissed. No costs.

20.02.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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To

1. The Tahsildar
Kurinjipadi Taluk
Cuddalore District

2. The Assistant Director
Survey & Land Records Department
Cuddalore



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P.VELMURUGAN. J.

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