



W.P.No.16586 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

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CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.16586 of 2019

M.Selvammal

... Petitioner

Vs.

- 1.The Thasildhar,
Thirukazhukunram Taluk Office,
Thirukazhukunram,
Thirukazhukunram Taluk,
Kanthipuram District.
- 2.The Head Surveyor,
Head Surveyor Office,
Thirukazhukunram Taluk,
Kanthipuram District.
- 3.The Revenue Inspector,
Revenue Inspector Office,
Thirukazhukunram,
Thirukazhukunram Taluk,
Kanthipuram District.
- 4.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mahaballipuram,
Kanthipuram District.
- 5.Thambiraan
- 6.Sekar



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7.S.Kamal

8.S.Venu

(R5 to R8 are impleaded vide order dated 28.06.2019 made in W.M.P.No.17500 of 2019 in W.P.No.16586 of 2018 by PDAJ)

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to dispose of the petitioner representation dated 06.04.2019 made for measuring and demarcating the property comprised in Survey No.72 the admeasuring total extent of 66 cents agricultural land, and survey No.97/6, 97/13, 160/8, 151/19, 151/7, 150/20, 150/21, 148/20, 109/18, 108/2, 103/2 admeasuring around total extent of 125 cents agricultural land (patta No.461) and bearing Survey No.103/13, 109/21, 148/15, 151/2, 160/24, 108/3, 118/2, 117/8 admeasuring around total extent of 67 cents agricultural land (patta No.405), Kunnathur Village, Thirukazhukundram Taluk, Kanchipuram District, with the help of police protection given by the fourth respondent.

For Petitioner : Mr.K.Jayakumar

For Respondents 1 to 4 : Mr.K.Suresh,
Government Advocate

For Respondents 5 to 8 : No Appearance

ORDER

The petitioner has filed this petition seeking direction to the first respondent to dispose of the petitioner representation dated 06.04.2019 made



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for measuring and demarcating the property comprised in Survey No.72 the admeasuring total extent of 66 cents agricultural land, and survey No.97/6, 97/13, 160/8, 151/19, 151/7, 150/20, 150/21, 148/20, 109/18, 108/2, 103/2 admeasuring around total extent of 125 cents agricultural land (patta No.461) and bearing Survey No.103/13, 109/21, 148/15, 151/2, 160/24, 108/3, 118/2, 117/8 admeasuring around total extent of 67 cents agricultural land (patta No.405), Kunnathur Village, Thirukazhukundram Taluk, Kanchipuram District, with the help of police protection given by the fourth respondent.

2. The case of the petitioner is that the property in dispute is an ancestral property of petitioner's father in law. Due to unavoidable reason, the petitioner has migrated to Chennai and assigned the fifth respondent viz., Thambiran, who is a neighbour to petitioner's husband to take care of aforesaid subject matter property. After the demise of petitioner's husband, the petitioner has decided to settle the above said land properties to her children. In the light of above, the petitioner has approached the respondents to measure the total extent of the subject property and the petitioner has also paid all the tax dues to conduct the survey.



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2.1. This being so, when the petitioner visited the subject property, the respondents 5 to 8 harassed the petitioner for securing possession of the subject matter property. Thus, the petitioner approached the first respondent to measure her property and demarcate the same so as to avoid unnecessary disputes and quarrel, for which, the petitioner has paid a necessary charges, however, no action was taken by the respondents. Hence, the petitioner has come forward with the present writ petition.

3. The learned Government Advocate appearing for the respondents 1 to 4 submitted a written instruction of the first respondent/Tahsildar vide Na.Ka.No.06/2024/Aa2 dated 11.06.2024, in which it is stated that while considering the representation of the petitioner dated 06.04.2019 for surveying the land, it was found that the required fee for the same was not paid and there was no proof for the same. Further it is stated that two weeks is required to survey the land, after the receipt of the required fee from the petitioner.

4. Heard the learned counsel on either side and perused the materials placed on record.



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5. In view of the above submission made by the learned Government Advocate appearing for the respondents 1 to 4, the first respondent is directed to survey the land on receipt of the required fee from the petitioner, within a period of two weeks as stated in the written instruction.

6. This Writ Petition is disposed of with the aforesaid observation and directions. No costs.

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Index : Yes/No

Speaking Order : Yes/No

To:

1.The Thasildhar,
Thirukazhukunram Taluk Office,
Thirukazhukunram,
Thirukazhukunram Taluk,
Kanthipuram District.

2.The Head Surveyor,
Head Surveyor Office,
Thirukazhukunram Taluk,
Kanthipuram District.

3.The Revenue Inspector,

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Revenue Inspector Office,
Thirukazhukunram,
Thirukazhukunram Taluk,
Kanthipuram District.

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4.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mahaballipuram,
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