



WEB COPY



W.P.No. 35155 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 35155 of 2024

M.Samraj

... Petitioner

Vs

1. The District Collector
Office of the District Collector
Dharmapuri District

2. The Thasildhar
Office of the Thasildhar
Dharmapuri District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the 2nd respondent herein to survey 474/1A for an extent of 0.43.50 Hectares in Navakanchalli Village, Dharmapuri District and fix boundaries.



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For Petitioner : Mr.S.Kingston Jerold

For Respondents 1 & 2 : Mr.A.Selvendran
Special Government Pleader

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ORDER

The challenge in this writ petition is to the refusal of the second respondent in surveying the property of the petitioner.

2. It is the case of the petitioner that based on the family partition on 14.07.2017, he was allotted a property in Survey No.474/1, in R.S.No.471/1A having an extent of 0.43.50 hectares in Nayakanehalli Village, Dharmapuri District. The petitioner has been in continuous possession and enjoyment of the same since then. According to the petitioner, requests were made to the second respondent on 01.03.2022, 11.07.2022 and on 20.07.2023 along with necessary charges to measure his property and to fix the boundary stones. But no action on the part of the second respondent. Thereafter, the petitioner also approached the second respondent with his representation dated



01.08.2024, which is also in vain. Hence, the petitioner left with no other alternative, is before this Court in the present writ petition.

3. Heard the learned counsels on the either side and perused the records.

4. Considering the facts and circumstances of the case, a mandamus is issued to the second respondent to measure the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either measuring and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.



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5. With the above directions, this Writ Petition is allowed.

Consequently, the connected miscellaneous petitions are closed. No costs.

28.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To,

1. The District Collector
Office of the District Collector
Dharmapuri District.
2. The Thasildhar
Office of the Thasildhar
Dharmapuri District.



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P.T.ASHA, J.,

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