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WP.No.36067 of 2024

In the High Court of Judicature at Madras

Dated : 04.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36067 of 2024

M.Kumar Devan

...Petitioner

Vs

1.The District Collector,
Krishnagiri District.

2.The Tahsildar, Uthangarai
Taluk Office, Uthangarai,
Krishnagiri District-635207.

3.The Head Surveyor,
Uthangarai Taluk Office,
Uthangarai, Krishnagiri
District-635207.

4.The Inspector of Police,
Kallavi Police Station,
Krishnagiri District-635304.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to survey and fix the boundary stones for the lands comprised in survey Nos.119/4 to an extent of 0.69 1/2 cents, 120/1 to an extent of acres 1.34 and 121/2 to an extent of acres 1.12 1/4 (settlement deed doc. No.3869 of 2021) A.Reddypatti Village, Uthangarai Taluk, Krishnagiri District forthwith.

For Petitioner : Mr.T.Venkatesan
For R1 to R3 : Mr.P.Sathish, AGP



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For R4 : Mr.R.Vinoth Raja GA (Crl.Side)

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ORDER

Seeking a Mandamus to the second respondent to conduct a survey and fix the boundary stones for the lands comprised in survey No.119/4 to an extent of 0.69 1/2 cents, survey No.120/1 to an extent of acres 1.34 and survey No.121/2 to an extent of acres 1.12 1/4, A.Reddypatti Village, Uthangarai Taluk, Krishnagiri District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader accepting notice for respondents 1 to 3 and the learned Government Advocate (Crl.Side) accepting notice for the fourth respondent.

3. The petitioner would contend that he acquired the said properties under a registered settlement deed dated 12.11.2021 vide doc.No.3869 of 2021 on the file of the Sub-Registrar, Pochampalli executed by his father in his favour. He is in possession and enjoyment of the said properties. For the purpose of surveying and demarcating the boundaries of the said properties, the petitioner made an online application on 02.11.2024 to the second respondent. He also paid necessary charges. Despite that, the second respondent has not taken



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any steps to survey the land.

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4. The fact that the said properties belong to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner acquired the said properties by way of a registered settlement deed, he requested the second respondent to conduct a survey and demarcate the boundaries.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the online application of the petitioner dated 02.11.2024 for conducting a survey and demarcating the boundaries in respect of the said properties. The petitioner shall submit all the relevant records to show his title to the said properties and the second respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying the said properties and demarcating the boundaries or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of five months from the date of receipt of a copy of this order. No costs.

RS

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P.T.ASHA,J

RS

To

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- 2.The Tahsildar, Uthangarai
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- 3.The Head Surveyor,
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