

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/32/2026

Shri Abijit Mondal

Vs

The Andaman and Nicobar Administration and Another

Ms. G. Mini

... for the petitioner

Mr. V. D. Sivabalan

Mr. Arun S. Kumar

... for the respondents

February 23, 2026

[AKB]

Item No.13

The instant writ petitioner has been filed seeking direction upon the respondents to demarcate the land bearing survey No. 329/P/9 measuring an area 0.1200 Hects situated at Chouldari village within Ferrargunj Tehsil, District of South Andaman as per existing record of rights by setting aside and/or annulling and/or cancelling and/or rescinding the order of reverting back of the application for demarcation on the ground of undergoing revenue survey by the Tehsildar, Ferrargunj Tehsil.

It is the specific case of the petitioner that the petitioner is the joint recorded tenant of land in respect of the land bearing survey No. 329/P/9 as aforesaid and the said land stand in the joint name of the petitioner and his brother and there is no inter se dispute among themselves regarding their respective shares or possessions.

The petitioner is paying land revenue regularly to the department. There is no any hindrance or obstructions from

any angle regarding the lawful possession and recognition of their land by revenue authority.

Both of them applied for demarcation of land before the respondent No.2 Tehsildar, on 17.12.2025 on online bearing acknowledgement No. FG182391282025 and uploaded all the necessary relevant documents for the said demarcation. However, no action has been taken for a long period and finally the said application was reverted back to the petitioner through online asking them to approach to the office of Assistant Commissioner (Settlement) for carrying out the demarcation of their landed property as the survey is going in the locality.

It is submitted by the learned counsel for the petitioner and referred the Regulation 99 and 47 of the Andaman and Nicobar Islands Land Revenue and Land Reforms Regulations, 1966 (in short 'the regulation') which does not speak about demarcation by the Assistant Commissioner during local revenue survey. As per the Regulation 99, the petitioner can apply for demarcation to the Tehsildar and upon receipt of the said, the Tehsildar can demarcate the land as per the map, physical measurement and revenue record. There is no impediment to demarcate the land by Tehsildar when there is no dispute about the Record of Rights of the petitioner. The Tehsildar is only passing buck upon the Assistant Commissioner, although regulation 99 is very specific and clear. Petitioner prays for direction upon the Tehsildar to act in accordance with law applicable in the Andaman and Nicobar Islands

On the other hand, learned counsel appearing on behalf of the respondents submits that the application has not been rejected rather it was reverted back to the petitioner with a request to approach to the Assistant Commissioner (Settlement) for his demarcation during local survey.

Having heard the submission of the respective parties and upon perusal of the said regulation, it is very clear that any party can approached the Tehsilar of the locality asking him the demarcate any land recorded in his name subject to fulfillment of some formalities.

The Regulations 47 and 99 are very specific and clear on this issue.

Accordingly, this writ petitioner is disposed of with a direction upon the respondent No.2 to demarcate his land subject to the regulations made in 99 of the Regulations of 1966 within six weeks from the date of communication of this order together with copy of writ petition upon notice to the interest parties, if any in accordance with law and as per available Map and revenue record.

With the above observation the writ petition being **WPA/32/2026** is disposed of.

(Ajay Kumar Gupta, J.)