



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2017

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.8480 of 2017

K.Thangaraj

..Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Pudukkottai & District.

2.The Tahsildar,
Pudukkottai Taluk & District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land and mark the boundaries in S.F.No.795/5 at Mulloor Village, Pudukkottai Taluk and District by considering the petitioner's representation dated 30.03.2017.

For Petitioner :Mr.K.Balasundharam

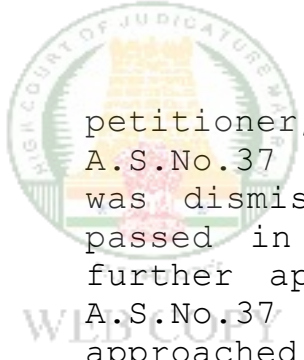
For Respondents :Mr.M.Alagathevan
Special Government Pleader

ORDER

The petitioner has approached this Court seeking a direction to the respondents to survey the petitioner's land and demarcate the boundaries in S.F.No.795/5 at Mulloor Village, Pudukkottai Taluk, Pudukkottai District by considering the petitioner's representation dated 30.03.2017.

2.Heard Mr.K.Balasundharam, the learned counsel for the petitioner and Mr.M.Alagathevan, the learned special Government Pleader for the respondents. By consent this Writ Petition is taken up for final hearing at the stage of admission itself.

3.According to the petitioner, he filed a suit before the competent civil Court for permanent injunction restraining one Subbaiah @ Murugesan from interfering with his peaceful possession and enjoyment of the subject property. It appears that the suit in



petitioner, the said Subbiah @ Murugesan preferred appeal in A.S.No.37 of 2006 before the Sub Court, Pudukkottai and the same was dismissed on 27.04.2007 confirming the judgment and decree passed in O.S.No.62 of 2005. According to the petitioner, no further appeal has been preferred against the order passed in A.S.No.37 of 2006. In the circumstances, the petitioner has approached the second respondent for the purpose of surveying and demarcating the land. According to the petitioner, he has remitted necessary fees on 16.12.2016. However, no follow up action has been taken by the second respondent. The petitioner has also submitted representation dated 23.01.2017 to the 1st respondent and dated 30.03.2017 to the second respondent. But till date no steps have been taken by the second respondent by accepting the request of the petitioner. Hence, the petitioner has approached this Court seeking to issue a writ of mandamus.

4.In the fitness of things, the second respondent has to be directed to survey the petitioner's land. Accordingly, the second respondent is directed to survey the petitioner's land and demarcate the boundaries after giving notice to all the necessary parties including the petitioner. This exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5.With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Office of the District Collector,
Pudukkottai,
Pudukkottai District.

2.The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.

+1cc to Special Government Pleader, Sr No.55500

+1cc to M/s K.Balasundharam, Advocate, Sr No.54808

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28.04.2017