



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.11.2018
CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

WEB COPY

W.P.(MD)No.18172 of 2018

C.Kupamuthu

... Petitioner

/Vs./

1.The Thasildar,
Kulithalai Taluk,
Karur District.

2.The Nangvaram Land Surveyor,
Nangavarm (Kuru vattam),
Kulithalai Taluk,
Karur District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to survey and fix the boundary of the land in survey no.894/1B1, 1B2 with an extent of 18 cents situated at Nagavarm South I Village, Kulithalai Taluk, based on the petitioner's representation dated 12.03.2018 and also based on the representation dated 13.04.2018 vide petition No.4/18 on account of Amma Thittam with the help of police protection.

For Petitioner : Mr.A.R.Kannappan

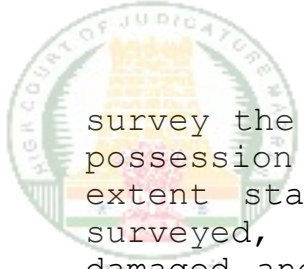
For Respondents : Mr.B.Bagavathy

Government Advocate

ORDER

This writ petition has been filed to direct the respondents to survey and fix the boundary of the land in survey no.894/1B1, 1B2 to an extent of 18 cents situated at Nagavarm South I Village, Kulithalai Taluk, based on the petitioner's representation dated 12.03.2018 and also based on the representation dated 13.04.2018 vide petition No.4/18 on account of Amma Thittam with the help of police protection.

2. The learned counsel appearing for the petitioner submits that the above said land to an extent of 18 cents has been purchased in the year 1975 by him along with his brother and his another brother's wife. Each of them has been enjoying 6 cents separately. The co-owners have sold their respective share to the petitioner. Thereby, the petitioner is in enjoyment of the entire 18 cents. Thereafter, he wanted to survey the said land as per Amma Thittam and gave a representation on 14.05.2012 the District Collector, Karur. On 16.06.2012, the concerned revenue officials went to



survey the said land and in which, the actual extent of the land in possession of the petitioner was found to be less than the actual extent stated in the sale deed. Thereafter, the land has been surveyed, fixed and fenced. But later, the sail fence has been damaged and a part was removed by some third persons. A complaint has been lodged before the police against them. In the revenue records, the name of the erstwhile owners have been mistakenly shown. Hence, he has been trying hard to survey the above said land and to fix the boundaries and put up fence from the year 2012 onwards. In spite of several representations, the respondents have not taken any steps. Hence, the petitioner has approached this Court by way of this writ petition.

3. The learned Government Advocate submits that the said land can be measured once again with the help of the police personnel.

4. In view of the above said submission, the concerned surveyor and other authorities can survey the land as per the revenue documents and fix the boundaries. The above said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. If there is any dispute regarding the said land and if there is any encroachment in the said land, it is for the petitioner to approach the concerned Civil Court to seek appropriate remedy.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Thasildar,
Kulithalai Taluk, Karur District.

2.The Nangvaram Land Surveyor,
Nangavarm (Kuru vattam),
Kulithalai Taluk,
Karur District.

+1CC to Mr.A.R.Kannappan, Advocate, SR.No.95258
+1CC to the Special Government Pleader SR.No.94953

W.P. (MD) No.18172 of 2018
12.11.2018

SM