



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No.25996 of 2019

G.Sahaya Dhas

... Petitioner

vs.

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Boothapandi, Kanyakumari District.

3.The Taluk Surveyor,
Thovalai Taluk,
Boothapandi, Kanyakumari District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to survey, demarcate and put boundary stones to the properties of the petitioner in R.S.No.376/2, Old S.No.630 of Azhagiyapandiapuram Village, Thovalai Taluk, Kanyakumari District and in R.S.No.376/2 and Old S.No.631 of the same village and taluk admeasuring an extent of 34 cents.

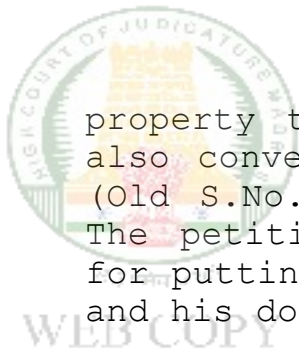
For Petitioner	:Mr.C.T.Perumal
For Respondents	:Mr.A.K.Baskara Pandian Special Government Pleader

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the respondents to survey, demarcate and to put boundary stones to the properties in R.S.No.376/2 (Old S.No.630) and R.S.No.376/2 (Old S.No.631) of Azhagiyapandiapuram Village, Thovalai Taluk, Kanyakumari District.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner states that he obtained an extent 20 cents of land in R.S.No.376/2 (Old S.No.630) of Azhagiyapandiapuram Village, Thovalai Taluk from his father, by way a registered settlement deed, dated 11.02.1997 and that he is in possession and enjoyment of the same. It is also stated that he constructed a dwelling house in the said property and it is assessed the



property tax having Door No.6/189. The petitioner's father has also conveyed another extent of 34 cents of land in R.S.No.376/2 (Old S.No.631) in the same village in favour of the petitioner. The petitioner made an application before the second respondent for putting up boundary stones on the basis of the revenue records and his document of title.

4.Though the Writ Petition is filed for issuance of a Writ of Mandamus to give positive direction to the respondents, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is issued to the respondents to consider the representation of the petitioner and pass appropriate order within the time stipulated by this Court

5.Having regard to the limited scope of prayer, that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to pass the following direction:-

"The second respondent is directed to consider the petitioner's representation dated 15.10.2019 and pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. If there is any rival claim or dispute, the same shall also be sorted out in the manner known to law."

6.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

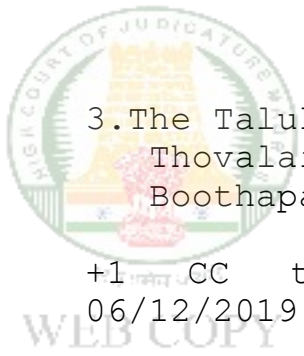
Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS)

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To

- 1.The District Collector,
Kanyakumari District, Nagercoil.
- 2.The Tahsildar,
Thovalai Taluk,
Boothapandi, Kanyakumari District.



3.The Taluk Surveyor,
Thovalai Taluk,
Boothapandi, Kanyakumari District.

+1 CC to MR.C.T.PERUMAL, Advocate (SR-103853[F] dated
06/12/2019)

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