



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2020

CORAM

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

W.P.(MD)No.2458 of 2020

WEB COPY
A.Selvam

... Petitioner

vs.

1.The Tahsildhar,
Thiruvadanai Taluk, Thiruvadanai,
Ramanathapuram District.

2.The Deputy Surveyor,
Thiruvadanai Taluk, Thiruvadanai,
Ramanathapuram 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 first respondent to furnish the survey report which was conducted by the second respondent on 12.10.2019 and further to direct the second respondent to demarcate the boundaries of the land comprised in S.No.91/13A, situated at Thottamangalam Village, Thiruvadanai Taluk, Ramanathapuram District based on the petitioner's representation, dated 22.10.2019 within a time frame that may be fixed by this Court.

For Petitioner

:Mr.V.Balamurugan

For R1 and R2

:Mr.A.Muthu Karuppan

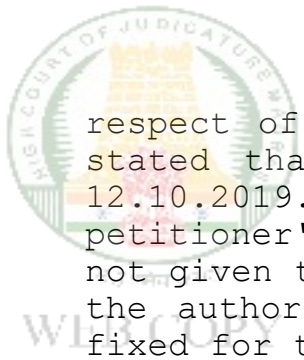
Additional Government Pleader

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, to direct the first respondent to furnish the survey report which was conducted by the second respondent on 12.10.2019 and further to direct the second respondent to demarcate the boundaries of the land comprised in S.No.91/13A, situated at Thottamangalam Village, Thiruvadanai Taluk, Ramanathapuram District based on the petitioner's representation, dated 22.10.2019 within a time frame that may be fixed by this Court.

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

3.The petitioner claims ownership over some lands in S.Nos.91/13A, 6/1A, 5/10 and 5/6 situated at Thottamangalam Village, Thiruvadanai Taluk, Ramanathapuram District. The present Writ Petition is only in respect of S.No.191/13A. The petitioner has produced before this Court, the patta in favour of the petitioner in



respect of an extent of 2.5 cents in S.No.91/13A. The petitioner stated that a survey was conducted by the second respondent on 12.10.2019. However, the petitioner stated that the boundary of the petitioner's land was not fixed and the copy of survey map was also not given to the petitioner. Hence, the petitioner though persuaded the authorities to conduct survey, is unable to get the boundary fixed for the land on the basis of revenue records.

4.In this case, the petitioner sought for demarcation of boundary and fixation of boundary stones. This exercise can be done only by the respondents after issuing notice to all the neighbouring land owners.

5.Mr.A.Muthu Karuppan, learned Additional Government Pleader, who takes notice for the respondents, has no objection for the disposal of the Writ Petition by directing the respondents to consider the representation of the petitioner.

5.In fine, this Writ Petition is disposed of with the direction to the second respondent to consider the representation of the petitioner, dated 22.10.2019 and to conduct survey or laying of survey stones, if necessary, as per the sub division done earlier, after issuing notice to all the neighbouring land owners of the land in S.No.91/13A. If there is any rival claim, the petitioner's application shall be considered only as per Section 12 of Tamil Nadu Patta Pass Book Act 1983, after issuing notice to all persons interested. This exercise shall be done within a period of six months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cmr

To

- 1.The Tahsildhar,
Thiruvadanai Taluk, Thiruvadanai,
Ramanathapuram District.
- 2.The Deputy Surveyor,
Thiruvadanai Taluk, Thiruvadanai,
Ramanathapuram District.

+1 CC to M/s.V.BALAMURUGAN, Advocate (SR-5523[F] dated 11/02/2020)

W.P.(MD)No.2458 of 2020

07.02.2020

SMA/24/02/2020/2P/4C

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