



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. (MD)No.9366 of 2020

WEB COPY

D.Ramasamy

... Petitioner

Vs.

1. Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

2. The Taluk Surveyor,
Office of the Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to survey the land comprised in Survey No.1116/2 with an extent of 2 acres and 90 cents situated in Devaram Village, Periyakulam Taluk, Theni District and demarcate the same within a time stipulated by this Court based on the representation dated 09.06.2020.

For Petitioner
For R1 to R3

: Mr.P.Gunasekaran
: Mr.C.Ramesh
Special Government Pleader

ORDER

The petitioner seeks for a direction to the respondents to survey the land comprised in Survey No.1116/2 with an extent of 2 acres and 90 cents situated in Devaram Village, Periyakulam Taluk, Theni District and demarcate the same, based on the representation of the petitioner dated 09.06.2020.

2.The learned counsel appearing for the petitioner would submit that the petitioner purchased the land in S.No.1116/2 measuring an extent of 2 acres and 90 cents situated at Devaram Village, Periyakulam Taluk, Theni District. From the date of purchase, the petitioner is in possession and enjoyment of the same. Therefore, the petitioner made a representation to the respondents to survey the land and demarcate the boundaries for the purpose of fencing his properties. Since no order is passed by the respondents, the petitioner is before this Court.



3.The learned Special Government Pleader, on instructions, submits that respondents are ready to survey the land on 25.08.2020.

4.Recording the submission of the learned Special Government Pleader, without expressing any opinion on the merits of the matter, there will a direction to the respondents to survey the petitioner's land on 25.08.2020. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter. The petitioner shall also co-operate with the respondents for surveying the petition mentioned land.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. Tahsildar, Uthamapalayam Taluk,
Uthamapalayam, Theni District.
2. The Taluk Surveyor,
Office of the Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam, Theni District.

+1 CC to The Spl GP (SR-14405[F] dated 19/08/2020)

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CS (26.08.2020) 2P 4C