



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P.(MD)No.12927 of 2020

WEB COPY

D.Chinnadurai

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.

3.The Firka Surveyor,
Alangudi Taluk Office,
Alangudi Taluk,
Pudukkottai District.

4.Balu @ Muthusamy

5.Chellasamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to survey and demarcate the boundaries of the land in S.No.153/1B, Keeramangalam North Village, Alangudi Taluk, Pudukkottai District, measuring about 0.94.50 Hectares.

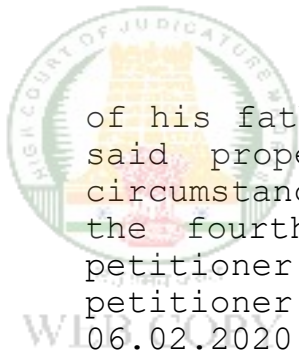
For Petitioner : Mr.C.Susikumar
For R1 to R3 : Mr.M.Murugan
Government Advocate

ORDER

This writ petition is filed to direct the respondents 1 to 3 to survey and demarcate the boundaries of the land in S.No.153/1B, situated at Keeramangalam North Village, Alangudi Taluk, Pudukkottai District, measuring to an extent of 0.94.50 Hectares.

2.Heard Mr.C.Susikumar, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondent Nos.1 to 3.

3.In the affidavit, it is averred that originally the petition mentioned property in S.No.153/1B, measuring to an extent of 0.94.50 Hectares, belonged to the petitioner's father and after the demise



of his father, the petitioner is in possession and enjoyment of the said property and obtained patta for the same. In the said circumstances, since there was a dispute between the petitioner and the fourth respondent, who is the adjacent land owner of the petitioner's land, he wants to fence his property. Therefore, the petitioner has filed an application before the second respondent on 06.02.2020 to survey and fix the boundaries and he has paid the requisite fees also. But, the second respondent did not consider the petitioner's application. Therefore, the petitioner sent a representation dated 08.09.2020, to the respondents 2 and 3. Since no action has been taken, the petitioner is before this Court.

4.The learned Government Advocate appearing for the respondents submitted that the petitioner's representation dated 08.09.2020 will be considered and appropriate orders will be passed in accordance with law.

5.Considering the submissions made on either side, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following orders:

(i)The second respondent, viz., The Tahsildar, Pudukkottai District, shall consider the petitioner's representation dated 08.09.2020 to measure the petition mentioned property as claimed by the petitioner in the representation, in accordance with law, after providing opportunity to the respondents 4 and 5.

(ii)If any objection is made, the first respondent shall conduct enquiry and take appropriate decision. The copy of the said decision shall also be communicated to the parties concerned.

(iii)The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

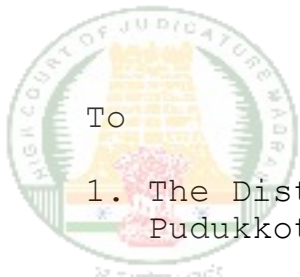
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Sub Assistant Registrar(CS)

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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. The District Collector,
Pudukkottai District.
2. The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
3. The Firka Surveyor,
Alangudi Taluk Office,
Alangudi Taluk,
Pudukkottai District.

+1 CC to the SPL GP (SR-18504[F] dated 30/09/2020)

W.P. (MD) No.12927 of 2020
29.09.2020

MR (CO)
CS (09.10.2020) 3P 5C