



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.13233 of 2020

R.Thiyagarajan

... Petitioner

Vs

1. The Tahsildar,
Tahsildar Office,
Aruppukottai Taluk,
Virudhunagar District.

2. The Firka Surveyor,
Taluk Office,
Aruppukottai Taluk,
Virudhunagar 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 To issue a WRIT OF MANDAMUS, directing the respondents to survey the petitioner land to an extent of 2¼ cents situated in S.No.128/4, patta no.18 at D.No.3/209, Thammanayankkampatti, Aruppukottai Taluk, Virudhunagar District and lay boundary stones in the petitioner land based on the petitioner representation dated 14.09.2020 within the time limit that may be stipulated by this court.

For Petitioner : Mr.S.P.Naveen Kumar
For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to survey and fix the four boundaries for the property in S.No.128/4, measuring to an extent of 2¼ cents, situated at Thammanayankkampatti, Aruppukottai Taluk, Virudhunagar District.

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



3. According to the petitioner, with the relief sought for in the prayer though he made a representation dated 14.09.2020 to the respondents, so far no action has been taken. Hence, the petitioner is before this Court.

4. In reply, the learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation dated 14.09.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Having regard to the limited scope of the prayer made by the petitioner and in view of the submission made by the learned Special Government Pleader, this Court, without expressing any opinion on the merits of the petitioner's case, is inclined to pass the following directions:-

i) the 1st respondent is directed to survey the subject matter of the property, by considering the petitioner's representation dated 14.09.2020, after affording due opportunity of hearing to the petitioner as well as the rival parties, if any;

ii) if there is any objection from the rival parties to survey the subject matter of the property, the 1st respondent is directed to conduct an enquiry and communicate the decision of the same to the parties concerned;

iii) the aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order;

6. This Writ Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

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 Tahsildar,
Tahsildar Office,
Aruppukottai Taluk,
Virudhunagar District.

2. The Firka Surveyor,
Taluk Office,
Aruppukottai Taluk,
Virudhunagar District.

+1 CC to the SPL GP SR-18746.

W.P. (MD) No.13233 of 2020
30.09.2020

SJ(CO)
CS(09.10.2020) 3P 4C