



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P (MD) No.13479 of 2020

R. Sampath

... Petitioner

Vs.

1.The Thasildhar,
Aruppukottai Taluk,
Virudhunagar District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to survey and fix the boundaries of the petitioner land bearing Survey No.6/3, Patta No.673 situated at Kalaiyarkarisalkulam Village, Aruppukottai Taluk, Virudhunagar District.

For Petitioner

: Mr. R. Murugappan

For Respondents 1 and 2

: Mr. M. Muniyasamy

Additional Government Pleader

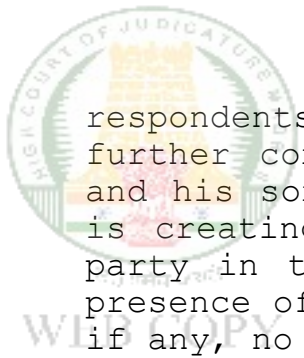
ORDER

This writ petition has been filed for issuance of a direction to the respondents to survey and fix the boundaries of the petitioner's land, bearing Survey No.6/3, Patta No.673, situated at Kalaiyarkarisalkulam Village, Aruppukottai Taluk, Virudhunagar District.

2. Mr. M. Muniyasamy, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. It is represented by the petitioner that he has paid a sum of Rs.80/- for the purpose of survey the land, but, no survey has been conducted so far. Hence, the direction may be issued to the respondents to survey the land.

4. Mr. M. Muniyasamy, learned Additional Government Pleader appearing for the respondents would contend that it may be true that the petitioner has paid the amount, but, the necessary application along with Bank Challan has not received by the



respondents so far and hence, survey has not taken place. He would further contend that there is some dispute between the petitioner and his son and the property belongs to the petitioner and his son is creating a problem. The petitioner has not made his son as a party in this Writ Petition. If the survey is taken place in the presence of the petitioner and his son and other interested parties, if any, no prejudice would be caused.

5. Considering the facts and circumstances of the case, the respondents are directed to consider the representation of the petitioner, dated 31.07.2019 and pass appropriate orders in accordance with law, after hearing the petitioner and the persons, whose interest will likely to be affected. The survey shall be conducted as per the guidelines issued by this Court in W.P(MD). No.13465 of 2020, dated 05.10.2020.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

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 Thasildhar,
Aruppukottai Taluk,
Virudhunagar District.

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

W.P (MD) No.13479 of 2020
05.10.2020

BK(CO)

<https://hdc2.courts.gov.in/services/P3C>