



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10937 of 2021

K.Selvendran

...Petitioner

Vs.

1.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

2.The Head Surveyor,
Vadipatti Taluk,
Vadipatti, Madurai District.

3.The Inspector of Police,
Kadupatti Police Station,
Kadupatti,
Samayanallur Sub-Division,
Madurai District.

4.P.Chinnukalai

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's application dated 07.06.2021 requesting the respondents 1 and 2 to demarcate the measured land in Survey No.197/4A2 with the help of 3rd respondent/Police within a time limit fixed by this Court.

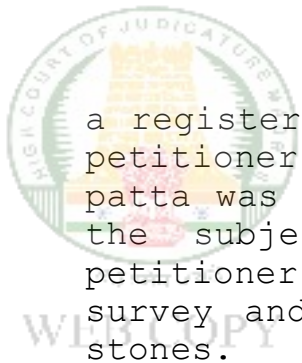
For Petitioner : Mr.P.Thambidurai

For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the application submitted by the petitioner on 07.06.2021, wherein, the petitioner has sought for the survey and demarcation of the subject property.

2. The case of the petitioner is that he is the owner of the subject property in survey Nos.197/2C1 and 197/4A by virtue of



a registered sale deed dated 08.06.2020. The further case of the petitioner is that he also applied for a patta and a separate patta was issued in his name in Patta No.674. It is stated that the subject property has not been demarcated. Hence, the petitioner made an application before the respondents seeking for survey and demarcation of the property and to lay the boundary stones.

3. The grievance of the petitioner is that when the revenue authorities went for survey of the property, they were physically prevented by the fourth respondent and his men and therefore, they did not proceed further to conduct the survey. The petitioner thereafter made a representation on 26.02.2021 and the same also did not evoke any response. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard P.Thambidurai, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 to 3.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first and second respondents to act upon the application submitted by the petitioner and fix a date for the survey of the subject property. Notice shall also be issued to the fourth respondent. The survey shall be conducted based on the title documents of the parties. Thereafter, the first and second respondents shall fix the boundaries and demarcate the property. If there is any resistance on the part of the fourth respondent, it is left open to the first and second respondents to take the help of the Police.

6. The petitioner is directed to make a fresh representation to the first and second respondents along with all the relevant documents and also a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



tsg

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,
Vadipatti Taluk,
Vadipatti,
Madurai District.
- 2.The Head Surveyor,
Vadipatti Taluk,
Vadipatti,,
Madurai District.
- 3.The Inspector of Police,
Kadupatti Police Station,
Kadupatti,
Samayanallur Sub-Division,
Madurai District.

+1 CC to SPL GP (SR-21206[F] dated 05/07/2021)

Order made in
W.P. (MD) .No.10937 of 2021
Dated:
02.07.2021

KM(09.07.2021) 3P 5C