



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11270 of 2021

M.Kovil Pillai

... Petitioner

Vs.

1.The Tahsildar,
Ottapidaram Taluk,
Tuticorin District.

2.The Head Surveyor,
Ottapidaram Taluk,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to survey and fixed the boundary stones of the petitioner's land in survey No.350/3 with an extent of 1 acre situated at Kavarnagiri Village, Panchalankurichi, Ottapidaram Taluk, Thoothukudi District, by considering the petitioner's representation, dated 24.03.2021, petitioner within a time frame to be fixed by this Court.

For Petitioner

: Mr.T.Chandrasekaran

For Respondent

: Mr.R.Suresh Kumar

Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the second respondent to consider the representation made by the petitioner, on 24.03.2021, wherein, the petitioner has requested for the survey of the subject property and for fixing the boundary stones.

2.The case of the petitioner is that he is the absolute owner of the subject property in S.No.350/3, measuring an extent of 1 acre and 20 cents. According to the petitioner, a patta has also been granted in his favour in patta No.1581. The petitioner wanted a survey to be conducted in his property and hence, submitted an application before the respondents, on 13.12.2020 and he also paid the necessary charges, on 14.12.2020. Since the same was not acted upon, the petitioner made a representation, on 24.03.2021, to the respondents. There was no response from the respondents and hence, the present writ petition has been filed before this Court, seeking for appropriate directions.

3.Heard Mr.T.Chandrasekaran, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Counsel

<https://hcs.easitecounsel.in/hcs/mids/>



appearing for the respondents.

4.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 second respondent to act upon the application submitted by the petitioner, on 13.12.2020 and take a decision with regard to the survey of the subject property, within a period of four weeks from the date of receipt of a copy of this order. If there are any other interested parties, notice shall also be issued to them before undertaking the survey.

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

6.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Ottapidaram Taluk,
Tuticorin District.

2.The Head Surveyor,
Ottapidaram Taluk,
Tuticorin District.

+1 CC to M/s.T.CHANDRASEKARAN, Advocate (SR-21913[F] dated 09/07/2021)
+1 CC to M/s.SPL GP (SR-21949[F] dated 09/07/2021)

Order made in

W.P. (MD) .No.11270 of 2021

Dated:

08.07.2021