



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.13566 of 2021

Rajendran

... Petitioner

Vs.

1.The Tahsildar,
Dindigul West Taluk, Dindigul.

2.The Deputy Surveyor,
Dindigul West Taluk,
Dindigul.

3.The Firka Surveyor,
Dharmathupatti,
Dindigul District.

4.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

5.M.Raja

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to survey and demarcate the boundaries of the petitioner's land measuring to an extent of 6.20 acres, comprised in survey No.61/2, situated at Kannivadi Village, Aathur Taluk, Dindigul District by considering his representation, dated 12.07.2021.

For Petitioner : Mr.T.Leninkumar

For R1 to R4 : Mr.R.Baskaran

Counsel for State.

ORDER

The petitioner seeks survey and demarcation of the boundaries of the land bearing Survey No.61/2 at Kannivadi Village, Aathur Taluk, Dindigul District.

2. The petitioner states that he purchased a punja land measuring 6.2 acres and comprised in Survey No.61/2 in the aforesaid village. Such purchase was under a registered sale deed bearing Document No.1206 of 2008. A patta was also issued in his favour bearing Patta No.1961.

3. The petitioner alleges that the fifth respondent is a stranger to the property and that the petitioner was constrained to file a civil suit against the fifth respondent and that civil suit



was allowed on 12.09.2014.

4. The petitioner decided to get the property surveyed and demarcated and remitted the requisite charges in connection therewith in April 2021. However, it is stated that till date no action has been taken on the petitioner's representation.

5. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of respondents 1 to 4 and states that respondents 1 to 3 may be directed to consider and dispose of the petitioner's representation on merits.

6. The facts on record indicate that there is a dispute with regard to the property as between the petitioner and the fifth respondent herein. In this proceeding, it is not necessary to determine as to whether the fifth respondent has a valid claim in respect of the property in question. Instead, respondents 1 to 3 may be directed to consider and dispose of the petitioner's representation on merits.

7. Accordingly, without going into the merits of the matter, respondents 1 to 3 are directed to consider the petitioner's representation dated 12.07.2021 seeking the survey of land bearing Survey No.61/2 and dispose of the same by a reasoned order after providing a reasonable opportunity of hearing to the petitioner, the fifth respondent herein and any others who may be affected by such decision. Such reasoned order shall be passed within a period of two (2) months from the date of receipt of a copy of this order.

8. W.P.(MD).No.13566 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (W)

// 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,
Dindigul West Taluk,
Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Surveyor,
Dindigul West Taluk,
Dindigul.

3.The Firka Surveyor,
Dharmathupatti,
Dindigul District.

4.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

+1 CC to M/s.GP (SR-25639[F] dated 09/08/2021)

W.P (MD) No.13566 of 2021
06.08.2021

RD(16.08.2021) 3P 6C