



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.13505 of 2021

A. Boolraja

... Petitioner

versus

1. The Tahsildar,
Eral Taluk,
Thoothukudi District.
2. The Taluk Surveyor,
Taluk Office,
Eral Taluk,
Thoothukudi District.
3. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to survey and demarcate the petitioner's property comprised in Survey No.51/2A27, Patta No.82, situated at Thiruthu Colony, Soliyakurichi, Sethukuvaithan Village, Eral Taluk, Thoothukudi District by considering the petitioner's representation dated 09.02.2021 submitted to the respondents within the time frame that may be fixed by this Court.

For Petitioner	:	Mr.S.Vikram
For Respondent	:	Mr.P.Subbaraj, Counsel for State

ORDER

The petitioner seeks a direction to the first and second respondents to survey and demarcate his property in Survey No.51/2A27, Patta No.82, situated at Thiruthu Colony, Soliyakurichi, Sethukuvaithan Village, Eral Taluk, Thoothukudi District.

2. The petitioner states that he resides in the aforesaid address and traces his title to the property at Survey No.51/2A27, through a Registered Settlement Deed bearing Document No.219/2019. The petitioner also relies upon patta No.82 and both these documents have been enclosed in the typed set of papers.

3. The petitioner states that he submitted an application to respondents 1 and 2 to carry out the survey and to demarcate the property by fixing boundary stones but that no action has been taken thereon.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice

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



on behalf of all the respondents. He submits that the first and second respondents would consider the petitioner's application and deal with the same on merits within a reasonable time frame.

5. A perusal of the patta shows that it has been issued in the names of 4 persons namely Muthu Lakshmanan, Boolraja (Petitioner herein), Balamurugan and Kasankaththa Perumal. Accordingly, in the event that the first and second respondents agree to conduct a survey, the other three persons whose names are reflected in the patta should be put on notice.

6. Accordingly, without going into the merits of the matter, the first and second respondents are directed to consider the petitioner's application dated 09.02.2021 and, if deemed appropriate, conduct a survey of the property at Survey No.51/2A27 after putting all affected parties, including the others mentioned in patta No.82 on notice, and conclude such exercise within a period of three months from the date of receipt of a copy of this order.

7. W.P.(MD).No.13505 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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,
Eral Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Taluk Office,
Eral Taluk,
Thoothukudi District.



3.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

+1 CC to M/s.S.VIKRAM, Advocate (SR-25419[F] dated 05/08/2021)

+1 CC to M/s.GP (SR-25519[F] dated 06/08/2021)

W.P(MD)No.13505 of 2021

05.08.2021

MGJ(12.08.2021) 3P 6C