



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15782 of 2021

Arumugam

... Petitioner

Vs.

1.The Tahsildar,
Office of the Singampunari Taluk Office,
Singampunari,
Sivangangai District.

2.The Taluk Surveyor,
Office of the Singampunari Taluk Office,
Singampunari,
Sivangangai District.

... 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 herein to survey and demarcate and fix the boundary stones in the petitioner's lands comprised in Survey No.313-6 situated at Keelavayal Group, Keelavayal Revenue Village, Singampunari Taluk, Sivagangai District having Patta No.1892 by considering the petitioner's application dated 05.08.2021 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks a survey and the fixation of boundary stones in respect of the land bearing Survey No.313-6 situated at Keelavayal Group, Keelavayal Revenue Village, Singampunari Taluk, Sivangangai District.

2. The petitioner claims ownership over the above mentioned property of an extent of 2.5 Ares. Patta No.1892 is cited in support thereof. In addition, the petitioner traces title through a settlement deed executed on 16.06.2021 in his favour.

3. The petitioner states that an application was submitted on 05.08.2021 seeking a survey of the property, and the necessary charges for such survey were remitted. In spite of the lapse of more than one (1) month, it is stated that no action has been taken thereon.



4. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the petitioner's representation may be considered and disposed of within a reasonable time frame.

5. The petitioner has enclosed copies of settlement deeds dated 11.08.2021 and 16.06.2021. He has also enclosed a copy of Patta No.1892. Such Patta has been issued in the name of the petitioner and pertains to the property bearing Survey No.313/6 of an extent of 2.5 Ares. It also appears that such patta was issued pursuant to proceedings dated 16.06.2021. There do not appear to be any rival claimants. Nevertheless, the adjoining land owners would have to be put on notice as the conduct of the survey may have an impact on their properties.

6. Accordingly, the respondents are directed to act on the petitioner's representation dated 05.08.2021 and undertake a survey after putting the adjoining land owners and the petitioner on notice. Such exercise shall be completed within a period of three (3) months from the date of receipt of a copy of this order.

7. Accordingly, W.P.(MD).No.15782 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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,
Office of the Singampunari Taluk Office,
Singampunari,
Sivangangai District.



2.The Taluk Surveyor,
Office of the Singampunari Taluk Office,
Singampunari,
Sivangangai District.

+1 CC to M/s.SPL GP (SR-28839[F] dated 13/09/2021)

W.P (MD) No.15782 of 2021
08.09.2021

DJ(CO)
KB(16.09.2021) 3P 4C