



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.20423 of 2021

P.Maheshwari

... Petitioner

Vs.

1.The Tahsildar,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur,
Madurai District.

3.Veerapandi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents herein to survey the land in Survey No.61/7B to the extent of 17 cents of Periyakattalai Village, Peraiyur Taluk, Madurai District by considering petitioner's representation dated 17.09.2021 by giving notice to the parties concern within a stipulated time.

For Petitioner : Mr.T.Sugadev
For R-1 and R-2 : Mr.D.Gandhiraj,
Special Government Pleader.

ORDER

The petitioner seeks a Mandamus directing the first and second respondents / the Tahsildar and the Taluk Surveyor in Peraiyur, Madurai District to conduct survey of the lands in Survey No.61/7B measuring 17 cents in Periyakattalai Village, Peraiyur Taluk, Madurai District.

2. Heard Mr.T.Sugadev, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Special Government Pleader who takes notice for respondents 1 and 2.

3. The petitioner had given a representation on 17.09.2021 in this regard. The petitioner had purchased the said property on 03.07.2019 by way of a registered sale deed registered as Document No.804/2019 in the office of the Sub-Registrar, Sindhupatti, Madurai District. There had been objections raised by the third respondent, Veerapandi, who is the neighbour. According to the learned counsel for the petitioner, the third respondent shifted the boundaries of the land and attempted to encroach the petitioner's land and in order to demarcate the four boundaries, the petitioner had placed a representation seeking survey.



4. Let the petitioner submit her application online and also pay fresh charges for such purpose. On receipt of such application, a direction is issued to the first respondent / the Tahsildar, with the help of the second respondent / the Taluk Surveyor to conduct the survey of the lands of the petitioner and to determine the boundaries. The Tahsildar may also issue notice to the third respondent, examine the documents of the petitioner and also the third respondent and thereafter conduct the survey and pass necessary orders in this regard. The entire exercise shall be completed within a period of sixteen (16) weeks from the date of receipt of fresh application from the petitioner herein.

5. With the said observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Lm/Nsr

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,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur,
Madurai District.

+1 CC to M/s.SPL GP (SR-34756[F] dated 17/11/2021)

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SRK(CO)
KB(29.11.2021) 2P 4C