



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.19176 of 2018
(Through Video Conference)

Perumal

... Petitioner

Vs.

1.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.

2.The Head Surveyor,
Srivaikundam Taluk Office,
Srivaikundam,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to survey the petitioner's land in survey Nos.363/2, 364/2, 365/1, 366 at Vada Vallanadu Village, Srivaikundam Taluk, Thoothukudi District and to fix boundary stones on the basis of documents produced by the petitioner within a time frame that may be fixed by this Court.

For Petitioner	: Mr.R.Pon Karthikeyan
For Respondents	: Mr.M.Rajarajan, Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 04.06.2018 wherein the petitioner has sought for the survey of the subject property and for fixing of the boundaries.

2. The case of the petitioner is that he is the owner of the subject property, by virtue of two registered sale deeds dated 23.06.1978 and 13.07.1986. The further case of the petitioner is that the Patta was also issued in his name. The petitioner wanted to conduct a survey in order to fix the boundaries. A representation was made in this regard on 04.06.2018. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.



3. Heard Mr.R.Pon Karthikeyan, learned counsel for the petitioner and Mr.M.Rajaraman, learned Additional Government Pleader 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 first respondent to consider the representation made by the petitioner on 04.06.2018 on its own merits and in accordance with law and take a decision with regard to conducting of survey in the subject property within a period of six weeks from the date of receipt of a copy of this order.

5. If there are any other interested parties claiming right over the subject property, they shall also be issued notice and opportunity shall be given to raise their objections, if any. The petitioner is directed to make a fresh representation to the first respondent along with all the 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(C

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,
Srivaikundam Taluk,
Thoothukudi District.
- 2.The Head Surveyor,
Srivaikundam Taluk Office,
Srivaikundam,
Thoothukudi District.

Order made in
W.P. (MD) No.19176 of 2018

Dated:
21.04.2021