



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.2202 of 2022

K.Periyasamy

..Petitioner

Versus

1. The Tahsildar,
Sathyamangalam Taluka,
Sathyamangalam, Erode District.

2. V.Duraisamy

3. D.Rajan

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to fix the boundaries of the petitioners land in Survey No.1064/2 measuring about Ac.2.44 of Kuthiyalathur Village, Sathyamangalam Taluka, Erode District within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr. K.A.Mariappan

For Respondents : Mr.G.Nanmaran

Special Government Pleader

O R D E R

The present writ petition has been filed to direct the 1st respondent to fix the boundaries of the petitioners land in Survey No.1064/2 measuring about Ac.2.44 of Kuthiyalathur Village, Sathyamangalam Taluka, Erode District within a time frame to be fixed by this Honourable Court.

2.The case of the petitioner is that the petitioner had purchased the property in Survey No.1064/2 measuring about Ac.2.44 and carrying on agricultural activities. While so, the respondents 2 and 3 along with their family members, have encroached a portion of the petitioner's land. Thereafter, a Civil Suit in O.S.No.311/2017 has been filed and decree was passed in favour of the petitioner. Further, the Patta and "A"Register stands in the name of the petitioner. Thereafter, the petitioner filed execution petition in EP.No.145/2018 and the Court took possession of the property and handed over to the



petitioner. Since, there was no boundaries fixed, the petitioner approached the 1st respondent for conducting survey and fix the boundaries of the land. For which, the 1st respondent appointed the taluk Surveyor to measure the property and to fix the boundaries. Due to the objections made by the private respondent, the Surveyor could not measure and fix the boundaries. Therefore, the petitioner has filed the present writ petition before this Court seeking the above said prayer.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the first respondent to consider the petitioner's representation dated 18.10.2021 within the stipulated time as fixed by this Court.

4. The learned Government Advocate submitted that the representation of the petitioner will be considered and appropriate orders will be passed within the time stipulated by this Court.

5. Considering the facts and circumstances of the case, this court, without going into merits of the case, directs the first respondents to consider the representation of the petitioner dated 18.10.2021 and pass appropriate orders on merits and in accordance with law, after hearing the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

nti/rli

To

The Tahsildar,
Sathyamangalam Taluka,
Sathyamangalam, Erode District.

+1 CC to The Government Pleader sr 9544.

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NRL (CO)
SP(02/03/2022)