



W.P.(MD).No.20179 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.08.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.20179 of 2013

Veilumuthu

... Petitioner

Vs.

1.The District Collector,
Thirunelveli,
Thirunelveli District.

2.The Tahsildar,
Palayamkottai,
Thirunelveli District.

3.The Special Tahsildar,
Land Acquisition (Adidhiravidar),
Thirunelveli District.

4.The Taluk Surveyor,
Palayamkottai Taluk Office,
Palayamkottai,
Tirunelveli District.

5.Chelladurai
6.Mrs.Thangam

... 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



W.P.(MD).No.20179 of 2013

respondent to consider the representation of the petitioner, dated 18.11.2013 and conduct an enquiry affording opportunity to the fifth and sixth respondents and on the basis of the same further direct the respondents 2 to 4 to measure and demarcate the petitioner's land properties in Survey Nos.3139/09, 3139/03, 3142/1A, 3139/09 and 139/09 situate at Keelaveera Raghavarpuram Village, Melapalayam Sub Division, Tirunelveli District.

For Petitioner : Mr.P.Krishnasamy

For R-1 to R-4 : Mr.S.Shanmugavel
Additional Government Pleader

For R-5 & R-6 : No appearance

ORDER

The present Writ Petition has been filed seeking a writ of Mandamus, directing the authorities to measure five survey numbers at Keelaveera Raghavarpuram Village, Melapalayam Sub Division, Tirunelveli District.

2. According to the petitioner, the property was originally purchased by his mother on 09.01.1998 and later it was settled in favour of his father on 05.04.2005. In turn, his father has executed a settlement deed on 28.04.2011. According to the petitioner, Survey Nos.3139/3 and



W.P.(MD).No.20179 of 2013

3139/9 are involved in the above said documents. The petitioner has further contended that the adjacent property, namely, 3139/2B and 3139/8 were acquired by the third respondent herein. Since the private property was not demarcated from the acquired property, there is a dispute with the neighbors. Hence, he wanted to measure the land and demarcate the acquired property.

3. The learned Additional Government Pleader for the third respondent had submitted that the survey numbers, for which demarcation of boundary is being sought for, are within the corporation limits of Tirunelveli Corporation and the records required for carrying out survey and demarcation of boundaries are not available with the respondents 1 to 4 herein.

4. I have carefully considered the submissions made on either side. Since the land alleged to be belonging to the writ petitioner does not fall within the purview of the official respondents herein, he is directed to approach the Assistant Commissioner for Land Surveyor of Tirunelveli District for carrying out the said operations. Hence, with the



W.P.(MD).No.20179 of 2013

above said observations, the writ petition stands closed. There shall be
no order as to costs.

16.08.2022

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The District Collector,
Thirunelveli,
Thirunelveli District.
- 2.The Tahsildar,
Palayamkottai,
Thirunelveli District.
- 3.The Special Tahsildar,
Land Acquisition (Adidhiravidar),
Thirunelveli District.
- 4.The Taluk Surveyor,
Palayamkottai Taluk Office,
Palayamkottai,
Tirunelveli District.



WEB COPY



W.P.(MD).No.20179 of 2013

R.VIJAYAKUMAR, J.

btr

Order made in
W.P.(MD).No.20179 of 2013

16.08.2022