



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.2166 of 2022

P.Sakthivel

... Petitioner

Vs.

1.The Tahsildar,
Periyakulam Taluk,
Theni District.

2.The Taluk Surveyor,
Periyakulam Taluk,
Theni District.

3.The Inspector of Police,
Andipatty Police Station,
Theni District.

4.Rengasamy

... Respondents

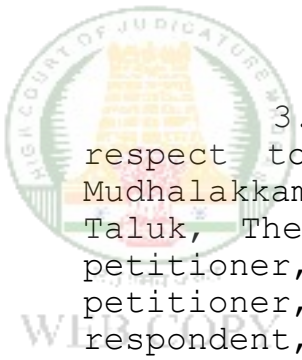
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 and 2 to take necessary steps to measure the land and fix the four boundaries with police protection of the third respondent in S.F.No.2359/1 to an extent of 2 acre 85 cents, S.F.No.2358/3 to an extent of 1 acre 4 cents and S.F.No.2620/15 to an extent of 0.01.72 hectares situated at Mudhalakkampatti Village, Melmangalam Revenue Village, Periyakulam Taluk, Theni District, based on the petitioner's representation dated 20.01.2022 within a stipulated time fixed by this Court.

For Petitioner : Mr.G.Sarath Kumar
For R-1 to R-3 : Mr.S.Kameswaran,
Government Advocate.

ORDER

Heard Mr.G.Sarath Kumar, learned counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate, who takes notice for respondents 1 to 3.

2. In view of the nature of the order passed, I am not directing notice to the fourth respondent.



3. A perusal of the patta shows that the patta, with respect to the lands in S.F.No.2359/1 measuring 2.85 acres at Mudhalakkampatti Village, Melmangalam Revenue Village, Periyakulam Taluk, Theni District, stands in the name of the father of the petitioner, Perumal Naicker, in the name of the mother of the petitioner, Errammal and in the name of the father of the fourth respondent, Sriranga Naicker.

4. It is stated by Mr.S.Kameswaran, learned Government Advocate, that, on an earlier occasion, when survey was to be conducted, the fourth respondent had raised objections. It is further stated that, now, the date has again been fixed for conducting survey on 25.02.2022 and that the first respondent / the Tahsildar, Periyakulam Taluk, Theni District, will be conducting the survey along with the police protection.

5. Therefore, the Writ Petition need not be kept pending on the board of this Court. But, however, an obligation is placed on the first respondent to proceed further in manner known to law, issue notice to the petitioner, issue notice to the fourth respondent and thereafter, proceed to do the needful. Let the entire exercise be completed within a period of four (4) weeks from the date of receipt of a copy of this order or from 25.02.2022 which date is fixed for conducting survey. Let that exercise be conducted after verification of documents of both the petitioner and the fourth respondent.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
Periyakulam Taluk,

<https://hcservices.tn.gov.in/hcservices>



2.The Taluk Surveyor,
Periyakulam Taluk,
Theni District.

3.The Inspector of Police,
Andipatty Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL.GP (SR-4207[F] dated 04/02/2022)

W.P. (MD) .No.2166 of 2022
03.02.2022

MGJ(10.02.2022) 3P 6C