



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P (MD) .No.2868 of 2022

C.Andichamy

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai - 625 020.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to survey and fix boundaries of the petitioner agricultural land to an extent of 3.54 acres comprised in Survey Nos.139/2, 150/1, 151/4, 151/5A in Patta No.4582 of Avaniyapuram Village, Madurai South Taluk, Madurai District, based on the petitioner representation dated 27.02.2020 and reminders dated 16.11.2021 and 27.01.2022, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for Mandamus seeking for direction to the second respondent to survey and fix the boundaries to the petitioner's agricultural land measuring an extent of 3.54 acres comprised in Survey Nos.139/2, 150/1, 151/4, 151/5A in Patta No.4582 of Avaniyapuram Village, Madurai South Taluk, Madurai District, based on the petitioner's representation dated 27.02.2020 and remainders dated 16.11.2021 and 27.01.2022, within a time frame to be fixed by this Court.

2.Heard Mr.G.Thalaimutharasu, learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.



3.By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

4.The petitioner claims that he is the absolute owner of the aforementioned property. He seeks for a survey and fixation of boundaries by the respondents in respect of his property. He has submitted a representation dated 27.02.2020 followed by remainders dated 16.11.2021 and 27.01.2022, requesting the respondents to survey and fix boundaries for his property. Since the said representations have not been considered till date, he has filed this writ petition.

5.The representations given by the petitioner seeking for survey and fixation of boundaries were given under the Tamil Nadu Survey and Boundaries Act, 1923. Admittedly, the said representations have not been considered till date.

6.No prejudice will be caused to the respondents, if the representations of the petitioner, on payment of necessary fees, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the other interested parties, who may stake claim over the very same property.

7.For the foregoing reasons, this Court directs the second respondent to survey and fix the boundaries of the petitioner's agricultural land measuring an extent of 3.54 acres comprised in Survey Nos.139/2, 150/1, 151/4, 151/5A in Patta No.4582 of Avaniyapuram Village, Madurai South Taluk, Madurai District, on receipt of necessary fees, after affording fair hearing to the petitioner as well as the other parties, who may be interested in the very same property, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

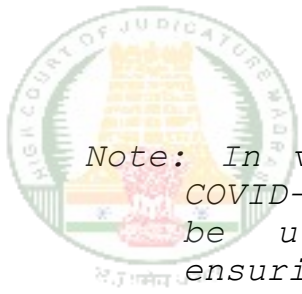
Assistant Registrar(AD-I)

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/ /2022

Sub Assistant Registrar(CS)

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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 District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai - 625 020.

+1 CC to M/s.SPL GP (SR-6443)

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-6622[F] dated 16/02/2022)

**W.P (MD) .No.2868 of 2022
14.02.2022**

ck(CO)
TR(01.03.2022) 3P 5C