



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.02.2022
CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

WEB COPY

W.P(MD).No.2898 of 2022

Marimuthu

.. Petitioner

Vs.

1.The District Collector,
Trichy and District.

2.The District Revenue Officer,
Trichy and District.

3.The Tahsildar,
Lalgudi Taluk,
Trichy District.

4.Anbanantham

5.Gnanasekaran

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to survey the petitioners property in SF.No.48/1, situated at Nerunchalakudi Village, Lalgudi Taluk, Trichy District and demarcate the boundary within a time that may be stipulated by this Court by considering his representation dated 18.12.2021 01.02.2022.

For Petitioner : Mr.R.Venkatesan for
M/s.Right Law Associates

For Respondents : Mr.M.Lingadurai for R1 to R3
Special Government Pleader

ORDER

This writ petition has been filed for Mandamus seeking for a direction to the respondents 1 to 3 to survey the petitioner's property in S.F.No.48/1, situated at Nerunchalakudi Village, Lalgudi Taluk, Trichy District and demarcate the boundary within the time to be fixed by this Court.

2.Heard Mr.R.Venkatesan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

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



4. According to the petitioner, he is the absolute owner of the aforementioned property having purchased the same under a sale deed dated 07.12.2000. According to him, since a dispute has been raised by the 4th and 5th respondents, the third respondent is refusing to survey the land. In such circumstances, he has given the representation on 18.12.2021 and 01.02.2022 to the official respondents seeking for survey and demarcation of the boundaries. Since the representations have not been considered till date the petitioner has filed this writ petition.

5. No prejudice will be caused to the respondents, if the petitioner's representations dated 18.12.2021 and 01.02.2022, seeking for survey and demarcation of boundaries with regard to his property, is done, after giving notice to the respondents 4 and 5 as well as to any other rival claimant. Accordingly, this Court directs the third respondent to depute a Surveyor, within a period of four weeks from the date of receipt of a copy of this order, for the purpose of surveying and demarcating the boundaries for the property in SF.No.48/1, situated at Nerunchalakudi Village, Lalgudi Taluk, Trichy District, and the Surveyor shall give notice to the petitioner as well as the 4th and 5th respondents and to any other rival claimant before commencing his work and shall submit his survey report after demarcation of boundaries to the petitioner within a period of twelve weeks from the date of commencement of the work.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TM

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,
Trichy and District.

2.The District Revenue Officer,
Trichy and District.

3.The Tahsildar,
Lalgudi Taluk,
Trichy District.

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate (SR-6019[F] dated 14/02/2022)

+1 CC to M/s.SPL GP (SR-6186[F] dated 15/02/2022)

W.P (MD) .No.2898 of 2022
14.02.2022

DP(26.02.2022) 3P 6C