



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.3119 of 2022

WEB COPY

R.Alagendran

... Petitioner

/Vs./

1.The District Collector,
District Collector Office,
Madurai.

2.The Land Surveyor,
Land Survey Department,
O/o. The Tahsildar Office,
Vadipatti Taluk, Madurai District.

3.The Tahsildar,
Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to survey and demarcate the boundary of the petitioner agriculture Nanja land admeasuring of 3 acre 76 cents (1.52.0 hectare) in Survey No.197 and 1 acre 11 cents out of 2 acre 22 cents (0.90.0 hectare) in Survey No.192/1B, all are situated in Pettai Village, Vadipatti Taluk, (Solavanthan Sub-register office) Madurai District in view of the online application submitted on 23.12.2021 followed with treasury E-challan No.20211223004450 dated 23.12.2021 and thereby made necessary update in FMB sketch and other revenue records for those survey numbers based on the petitioner's representation 17.04.2017.

For Petitioner : Mr.Palaniselvam

For Respondents : Mr.B.Saravanan

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents herein to survey and demarcate the boundary of the petitioner's agriculture Nanja land admeasuring of 3 acre 76 cents (1.52.0 hectare) in Survey No.197 and 1 acre 11 cents out of 2 acre 22 cents (0.90.0 hectare) in Survey No.192/1B, all are situated in Pettai Village, Vadipatti Taluk, (Solavanthan Sub-register office) Madurai District, in view of the online application submitted on 23.12.2021 followed with treasury E-challan No.20211223004450 dated 23.12.2021 and thereby make necessary update



in FMB sketch and other revenue records for those survey numbers based on the petitioner's representation dated 17.04.2017.

2.The petitioner has submitted an application through online to the respondents on 23.12.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to him absolutely. Since the said application has not been considered till date, this writ petition has been filed.

3.Heard Mr.Palaniselvam, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.The petitioner has produced documents in support of his case that he is the owner of the aforementioned property. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has submitted an application through online on 23.12.2021 for the said purpose.

5.No prejudice would be caused to the respondents if the application of the petitioner dated 23.12.2021 is considered on merits and in accordance with law after hearing the petitioner as well as the rival claimants, if any.

6.Accordingly, this Court directs the second respondent to survey and fix the boundaries in the petitioner's property in land admeasuring of 3 acre 76 cents (1.52.0 hectare) in Survey No.197 and 1 acre 11 cents out of 2 acre 22 cents (0.90.0 hectare) in Survey No.192/1B, all are situated in Pettai Village, Vadipatti Taluk, (Solavanthan Sub-register office) Madurai District, after giving notice to the petitioner and rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /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.

WEB COPY

To

- 1.The District Collector,
District Collector Office,
Madurai.
- 2.The Land Surveyor,
Land Survey Department,
O/o. The Tahsildar Office,
Vadipatti Taluk, Madurai District.
- 3.The Tahsildar,
Vadipatti Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-7113[F] dated 18/02/2022)

+1 CC to M/s.M.PALANISELVAM, Advocate (SR-6708[F] dated 17/02/2022)

order made in
W.P. [MD]No.3119 of 2022
Dated:**17.02.2022**

SK (CO)
TR(03.03.2022) 3P 6C