



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3169 of 2022

K.Venkatesaperumal

.. Petitioner

Vs

1.The District Collector,
Collector Office,
Theni District - 625 531.

2.The Tahsildar,
Taluk Office,
Andipatty Taluk,
Theni District - 625 512.

3.The Land Surveyor,
Rajathani Firka,
Tahsildar Office,
Andipatty Taluk,
Theni District - 625 512.

.. Respondents

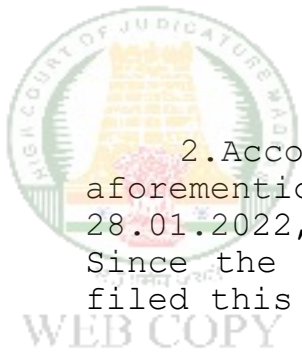
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to give appropriate direction to the 3rd respondent to measure and demarcate petitioner's properties in Survey No.174/7, to an extent of 75 cents, Survey No.176/1, to an extent of 86 cents Survey No.176/1, to an extent of 1 Acre and 17 cents, Survey No.104/4B, to an extent of 50 cents and survey No.103/1, to an extent of 1 Acre and 8 cents which are situated at Balakombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District based on his representation, dated 28.01.2022.

For Petitioner : Mr.Benazir Begum

For Respondents : Mr.D.Sasikumar
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to give appropriate direction to the third respondent to measure and demarcate the petitioner's properties in Survey No.174/7, to an extent of 75 cents, Survey No.176/1, to an extent of 86 cents Survey No.176/1, to an extent of 1 Acre and 17 cents, Survey No.104/4B, to an extent of 50 cents and survey No.103/1, to an extent of 1 Acre and 8 cents which are situated at Balakombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District, based on the petitioner's representation, dated 28.01.2022, within a time frame to be fixed by this court.



2. According to the petitioner, he is the absolute owner of the aforementioned property. He has given a representation on 28.01.2022, seeking for survey and demarcation of his boundaries. Since the representation has not been considered till date, he has filed this writ petition.

3. Heard Ms. Benazir Begum, learned counsel for the petitioner and Mr. D. Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. No prejudice will be caused to the respondents, if the survey and demarcation of boundaries pertaining to the aforementioned property is done, in the presence of the petitioner and other rival claimant, if any.

5. Accordingly, this Court directs the third respondent to survey and demarcate the boundaries in respect of the property comprised in Survey No. 174/7, to an extent of 75 cents, Survey No. 176/1, to an extent of 86 cents, Survey No. 176/1, to an extent of 1 Acre and 17 cents, Survey No. 104/4B, to an extent of 50 cents and survey No. 103/1, to an extent of 1 Acre and 8 cents which are situated at Balakombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District, in the presence of the petitioner and other rival claimant, if any and submit a report accordingly, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that the petitioner will have to pay the necessary fees to the respondents for conducting the survey as directed by this Court.

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

Sd/-

Assistant Registrar (CRL)

// 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,
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Theni District - 625 531.

2.The Tahsildar,
Taluk Office,
Andipatty Taluk,
Theni District - 625 512.

3.The Land Surveyor,
Rajathani Firka,
Tahsildar Office,
Andipatty Taluk,
Theni District - 625 512.

+1 CC to M/s.SPL GP (SR-7762[F] dated 22/02/2022)

W.P. (MD)No.3169 of 2022
18.02.2022

SS/02.03.2022 : 3P/5C