



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.3950 of 2022

Selvarasu

... Petitioner

Vs.

1.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

2.The Head Surveyor,
Orathanadu Taluk Office,
Thanjavur District.

3.The Firka Surveyor,
Orathanadu Taluk,
Thanjavur District.

4.The Sub Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

...Respondents

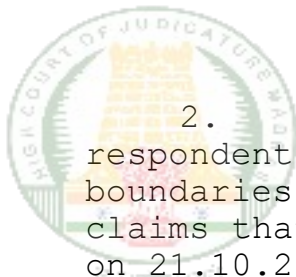
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to survey and demarcate the property comprised in Survey No.169/3, Patta No.1818 situated at Neiveli Vadapathi, Orathanadu Taluk, Thanjavur District, by considering the petitioner's representation dated 01.02.2022 submitted to the respondents 1 to 3, within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Vikram

For Respondents : Mrs.S.Jeyapriya,
Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to survey and demarcate the property comprised in Survey No.169/3, Patta No.1818 situated at Neiveli Vadapathi, Orathanadu Taluk, Thanjavur District based on the petitioner's representation dated 01.02.2022, within a time frame to be fixed by this Court.



2. The petitioner has submitted a representation to the respondents on 01.02.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to his wife absolutely. His wife, Chitra died on 21.10.2021. The petitioner is one of the legal heirs. Since the said representation has not been considered till date, this Writ Petition has been filed.

3. Heard Mr.S.Vikram, learned counsel for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents.

4. The petitioner has produced documents in support of his case that his wife is the owner of the aforementioned property and he has produced the legal heirship certificate. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 01.02.2022 for the said purpose.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 01.02.2022 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 respondents to survey and fix the boundaries in the aforementioned property bearing Survey No.169/3, Patta No.1818 situated at Neiveli Vadapathi, Orathanadu Taluk, Thanjavur 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 aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// 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,
Orathanadu Taluk,
Thanjavur District.

2.The Head Surveyor,
Orathanadu Taluk Office,
Thanjavur District.

3.The Firka Surveyor,
Orathanadu Taluk,
Thanjavur District.

4.The Sub Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-13184[F] dated 21/03/2022)

**W.P. (MD) .No.3950 of 2022
18.03.2022**

RK(30/03/2022) 3P 6C