



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.4211 of 2022

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P.Mohan

... Petitioner

vs.

1.The Tahsildar,
Thiruvaiyaru Taluk Office,
Thiruvaiyaru, Thanjavur District.

2.The Taluk Head Surveyor,
Thiruvaiyaru Taluk,
Thiruvaiyaru, Thanjavur District.

3.The Village Assistant Officer,
Thiruvaiyaru, Thanjavur District.

4.P.Shanmugam,

5.R.Jenagam

6.V.Veeramani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 not to survey the petitioner's recovered suit property in S.No.347/6A, Sub-division New S.No.347/6A4 to an extent of 136 square meter situated at Ayyanar Koil Street, Thiruvaiyaru Town, Thanjavur District without following due process of law, on the basis of the petitioner's representation dated 23.02.2022.

For Petitioner

:Mr.P.Saravanakumar

For R1 to R3

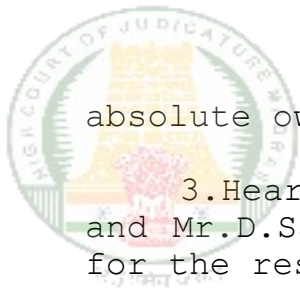
:Mr.D.Sasikumar

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus to forbear the respondents 1 to 3 from surveying the petitioner's property comprised in S.No.347/6A, Sub-division New S.No.347/6A4 to an extent of 136 square meter situated at Ayyanar Koil Street, Thiruvaiyaru Town, Thanjavur District, based on the petitioner's representation, dated 23.02.2022.

2.The apprehension of the petitioner is that in his absence, the respondents 4 to 6 are attempting to survey and demarcate his property, referred to supra. According to the petitioner, he is having a valid Court decree passed in his favour declaring him as an



absolute owner of the aforementioned property.

3. Heard Mr.P.Saravanakumar, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader appearing for the respondents 1 to 3.

4. The learned Additional Government Pleader, on instructions, would submit that till date, none of the private respondents have approached the official respondents for survey and demarcation of boundaries of the aforementioned property. The said statement is recorded.

5. The learned Counsel for the petitioner, on instructions, would submit that the petitioner will be satisfied, if any survey is done for the aforementioned property in the presence of the petitioner. No prejudice will be caused to any of the respondents, if such a direction is issued by this Court.

6. Accordingly, this Writ Petition is disposed of, as the apprehension raised by the petitioner is uncalled for, for the present, as no survey has been sought for by any of the private respondents. However, to protect the interest of the petitioner, direction is given to the official respondents to put him on notice, as and when a request is made by the respondents 4 to 6 for survey and demarcation of the boundaries in respect of the property comprised in S.No.347/6A, Sub-division New S.No.347/6A4 to an extent of 136 square meter situated at Ayyanar Koil Street, Thiruvaiyaru Town, Thanjavur District. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1. The Tahsildar,
Thiruvaiyaru Taluk Office,
Thiruvaiyaru, Thanjavur District.

2. The Taluk Head Surveyor,
Thiruvaiyaru Taluk,
Thiruvaiyaru, Thanjavur District.



3.The Village Assistant Officer,
Thiruvaiyaru, Thanjavur District.

+1 CC to M/s.SPL.GP. (SR-19009[F] dated 18/04/2022)

W.P. (MD)No.4211 of 2022
13.04.2022

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VR (CO)
KB (28.04.2022) 3P 5C