



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4237 of 2022

Manohari

... Petitioner

Vs.

1.The Tahsildar,
Thiruvaiyaru Taluk,
Thanjavur District.

2.The Surveyor,
Thiruvaiyaru Taluk,
Thanjavur District.

3.Muniyaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's application dated 29.07.2021 for carrying out measurement in respect of punja lands bearing Survey Number 192/3A admeasuring an extent of 34.58 cents situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District, within the time stipulated by this Court.

For Petitioner : Ms.V.Vilma Remy

For Respondents 1&2 : Mr.D.Sasikumar

Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the official respondents to consider the petitioner's application dated 29.07.2021 for carrying out measurement in respect of punja lands bearing Survey Number 192/3A admeasuring an extent of 34.58 cents situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 29.07.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property which she claims that it belongs to her absolutely. Since the said representation has not been considered till date, this writ petition has been filed.



3.Heard Ms.V.Vilma Remy, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of respondents 1 and 2.

4.The petitioner has produced documents in support of her case that she is the owner of the aforementioned property. She has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 29.07.2021 for the said purpose.

5.No prejudice would be caused to the official respondents if the representation of the petitioner dated 29.07.2021 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 Survey Number 192/3A admeasuring an extent of 34.58 cents situated at Varagoore Village, Thiruvaiyaru Taluk, Thanjavur District after giving notice to the petitioner, the third respondent and other 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

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,
Thiruvaiyaru Taluk, Thanjavur District.

2.The Surveyor,
Thiruvaiyaru Taluk, Thanjavur District.

+1 CC to M/s.SPL GP (SR-11572[F] dated 11/03/2022)

+1 CC to M/s.V.VILMA REXY, Advocate (SR-11614[F] dated 11/03/2022)

ORDER MADE IN
W.P.[MD]No.4237 of 2022
10.03.2022

MR

MS/18.03.2022/2P.5C

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