



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.4302 of 2022

Thiruvavavadudurai Adhinam,
represented by Inspector,
Veerananthan, Kanyakumari District.

... Petitioner

vs.

1.The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

2.The Deputy Director of Survey and Measurements,
Kanyakumari District, Kanyakumari.

3.The Head Surveyor,
Taluk Office, Agastheeswaram, Kanyakumari District.

... Respondents

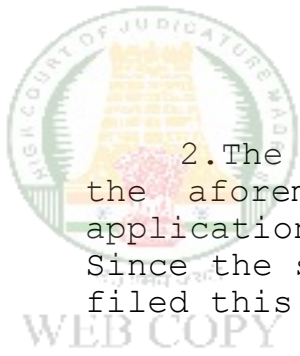
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to Survey No.252/1 with an extent of 0.33.5 hectares, Survey No.252/2 with an extent of 0.02.5 hectares, Survey No.252/3 with an extent of 0.20.0 and Survey No.252/4 with an extent of 0.14.5 hectares situated at Kanyakulam Village and the Survey Nos.341/1 with an extent of 0.20.5 hectares and 342/5A with an extent of 2.98.0 hectares situated at Putheri village, Agasteeswaram Taluk, Kanyakumari District based on the petitioner's application dated 01.03.2022 within stipulated time by this Court.

For Petitioner :Mr.M.Ramu

For Respondents :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 first respondent to conduct survey and demarcation of boundaries in respect of the land in Survey No.252/1 with an extent of 0.33.5 hectares, Survey No.252/2 with an extent of 0.02.5 hectares, Survey No.252/3 with an extent of 0.20.0 and Survey No.252/4 with an extent of 0.14.5 hectares situated at Kanyakulam Village and the Survey Nos.341/1 with an extent of 0.20.5 hectares and 342/5A with an extent of 2.98.0 hectares situated at Putheri village, Agasteeswaram Taluk, Kanyakumari District based on the petitioner's application dated 01.03.2022 within a time frame to be fixed by this Court.



2.The petitioner seeks for conduct of survey and demarcation of the aforementioned properties. He said to have submitted an application on 01.03.2022 to the respondents for the said purpose. Since the said application has not been considered till date, he has filed this Writ Petition.

3.Heard Mr.M.Ramu, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who takes notice on behalf of the respondents.

4.Mr.D.Sasikumar, learned Additional Government Pleader, on instructions, would submit that the representation referred to in the affidavit filed in support of this Writ Petition has not been received by the respondents, even though charges seem to have been paid, as seen from the typed set of papers filed along with the Writ Petition. Hence, he would submit that a fresh representation will have to be given. The same is recorded.

5.No prejudice will be caused to the respondents, if survey and demarcation is done in the presence of the petitioner and other rival claimants, if any.

6.Accordingly, this Court directs the petitioner to give a fresh representation to the respondents requesting the first respondent to conduct survey and demarcation of the aforementioned properties with the help of the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent with the assistance of the third respondent shall conduct survey and demarcation of boundaries for the aforementioned properties in the presence of the petitioner and any other rival claimants, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Director of Survey and Measurements,
Kanyakumari District, Kanyakumari.

3.The Head Surveyor,
Taluk Office, Agastheeswaram, Kanyakumari District.

+1 CC to M/s.M.RAMU, Advocate (SR-11335[F] dated 10/03/2022)

+1 CC to M/s.SPL GP (SR-11574[F] dated 11/03/2022)

W.P.(MD)No.4302 of 2022
10.03.2022

RK(21/03/2022) 3P 6C