



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4342 of 2022

Raihan

.. Petitioner

Vs

1.The District Collector,
Sivagangai.

2.The GR Special Tahsildar,
Tahsildar Office,
Thiruppathur Town,
Sivagangai District.

3.The District Assistant Surveyor,
Tahsildar Office,
Thiruppathur Town,
Sivagangai District.

4.Mumtaj

5.Bogusiya

.. Respondents

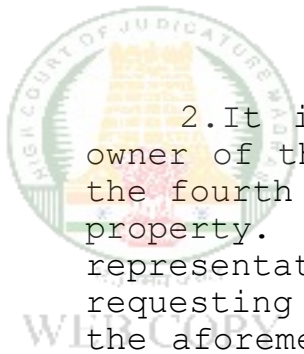
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd and 3rd Respondents to survey the land situated in Survey No.365/268, Patta No.57, Nondikattubawa lane, Thiruppathur Town, Sivagangai District, based on the representation dated 14.02.2022.

For Petitioner : Mr.S.A.Ajmalkhan

For Respondents : Mr.M.Lingadurai for R1 to R3
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second and third respondents to survey the land situated in Survey No.365/268, Patta No.57, Nondikattubawa lane, Thiruppathur Town, Sivagangai District, based on the representation dated 14.02.2022, within a time frame to be fixed by this Court.



2.It is the case of the petitioner that she is the absolute owner of the aforementioned property. However, it is her case that the fourth and fifth respondents are attempting to encroach upon her property. In such circumstances, she has submitted her representation, dated 14.02.2022, to the official respondents, requesting them to conduct survey and demarcate the boundaries for the aforementioned property. Since the representation has not been considered till date, she has filed this writ petition.

3.Heard Mr.S.A.Ajmalkhan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, appearing for the respondents 1 to 3.

4.The petitioner has filed documents along with this writ petition, including title deeds to show that she is the owner of the property. However, it is for the official respondents to consider the same as and when the petitioner produces the same before the official respondents. It is the contention of the petitioner that the fourth and fifth respondents are attempting to encroach upon the petitioner's property.

5.No prejudice will be caused to the respondents, if the survey and demarcation of boundaries is done to the petitioner's property in the presence of the petitioner as well as the respondents 4 and 5. Accordingly, this Court directs the second and third respondents to conduct survey and demarcate the boundaries of the property comprised in Survey No.365/268, Patta No.57, Nondikattubawa lane, Thiruppathur Town, Sivagangai District, in the presence of the petitioner and the respondents 4 and 5, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

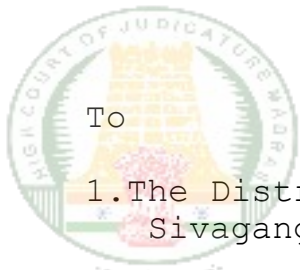
Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar(CS)

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,
Sivagangai.

2.The GR Special Tahsildar,
Tahsildar Office,
Thiruppathur Town,
Sivagangai District.

3.The District Assistant Surveyor,
Tahsildar Office,
Thiruppathur Town,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-12213[F] dated 15/03/2022)

W.P. (MD) No.4342 of 2022
11.03.2022

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MS/23.03.2022/3P.5C