



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5020 of 2022

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A.Kalyanasundaram

... Petitioner

/Vs./

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Assistant Director of Survey,
Survey Department,
Collectorate,
Pudukkottai.
- 3.The Thasildar,
Manamelkudi Taluk,
Pudukkottai District.
- 4.The Firka Surveyor,
Aranthangi Division,
Aranthangi, Pudukkottai.
- 5.The Superintendent of Police,
Pudukkottai, Pudukkottai District.
- 6.The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.

7.Prabahakaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2, 3 and 4 to conduct land survey and demarcate the four boundaries of the Petitioner's Property in S.F.No.308/2A with an extent of 0.04.5 hectares of Vitchoor Village, Manamelkudi Taluk, Pudukkottai District and fix the boundary stones with police protection.

For Petitioner : Mr.R.Paranjothi

For R1 to R6 : Mr.B.Saravanan
Additional Government Pleader



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2, 3 and 4 to conduct land survey and demarcate the four boundaries of the Petitioner's Property in S.F.No.308/2A with an extent of 0.04.5 hectares of Vitchoor Village, Manamelkudi Taluk, Pudukkottai District and fix the boundary stones with police protection, based on the petitioner's representation dated 09.02.2021, within a time frame to be fixed by this Court.

2. According to the petitioner, he is the absolute owner of the aforementioned property and patta No.150 has also been issued in his favour for the subject property. However, the seventh respondent, who is his nephew, is attempting to encroach his property. In such circumstances, he has given a representation on 09.02.2021 requesting the official respondents to conduct survey and demarcate the boundaries in his property with the assistance of the police. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.R.Paranjothi, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the official respondents.

4. The learned Additional Government Pleader appearing for the official respondents, on instructions, would submit that though the petitioner is having patta, the seventh respondent has already put up a compound wall in his property, which includes the property belonging to the petitioner.

5. No prejudice would be caused to the respondents, if the survey is done with the assistance of the police in the presence of the petitioner, the seventh respondent as well as any other necessary party, whom the third and fourth respondents deem fit to put on notice.

6. Accordingly, this Court directs the third and fourth respondents to conduct survey and demarcation of boundaries of the property comprised in S.F.No.308/2A with an extent of 0.04.5 hectares of Vitchoor Village, Manamelkudi Taluk, Pudukkottai District and fix the boundaries with the assistance of the police in the presence of the petitioner and the seventh respondent as well as any other necessary party, whom the third and fourth respondents deem fit to put on notice, 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 (CS-II)

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/ /2022

Sub Assistant Registrar (CS)

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To

1. The District Collector,
Pudukkottai District,
Pudukkottai.
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3. The Thasildar,
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5. The Superintendent of Police,
Pudukkottai, Pudukkottai District.
6. The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.

+1 CC to M/s.SPL GP (SR-13877[F] dated 23/03/2022)

W.P. [MD]No.5020 of 2022

22.03.2022

RD(01.04.2022) 3P 8C