



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4808 of 2022

M.Thiruvaiya

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Firka Surveyor,
Kadayanallur Taluk,
Tenkasi District.

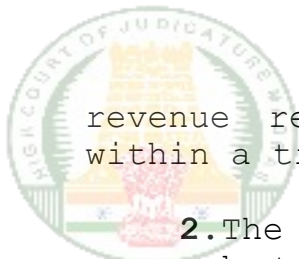
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 28.01.2022 and to survey and fix the boundaries of the property of the petitioner situated in Tenkasi District, Kadayanallur Taluk, Kodikurichi Village, Survey No.236, to an extent of 56 ½ cents out of the 2 acre and 30 cents, Survey No.237/1, to an extent of 16 ½ cents out of the 66 cents, totally to an extent of 74 cents as per the Tamil Nadu Survey and Boundaries Act, 1923 and consequently to make necessary mutations in the revenue records pertaining to the property of the petitioner within a time frame as may be fixed by this Court.

For Petitioner	: Mr.R.Rajeshkumar
For Respondents	: Mr.M.Lingadurai Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the representation of the petitioner dated 28.01.2022 and to survey and fix the boundaries of the properties of the petitioner situated in Tenkasi District, Kadayanallur Taluk, Kodikurichi Village in Survey No.236, to an extent of 56 ½ cents out of the 2 acre and 30 cents and Survey No.237/1, to an extent of 16 ½ cents out of the 66 cents, totally to an extent of 74 cents as per the Tamil Nadu Survey and Boundaries Act, 1923 and consequently to make necessary mutations in the



revenue records pertaining to the properties of the petitioner within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 28.01.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned properties which he claims that it belongs to him absolutely. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.R.Raheshkumar, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4.The petitioner has produced documents in support of his case that he is the owner of the aforementioned property. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 28.01.2022 for the said purpose.

5.No prejudice would be caused to the respondents if the representation of the petitioner dated 28.01.2022 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 third respondent to survey and fix the boundaries in the petitioner's property situated in Tenkasi District, Kadayanallur Taluk, Kodikurichi Village in Survey No.236, to an extent of 56 ½ cents out of the 2 acre and 30 cents and Survey No.237/1, to an extent of 16 ½ cents out of the 66 cents, totally to an extent of 74 cents, after giving notice to the petitioner and 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.

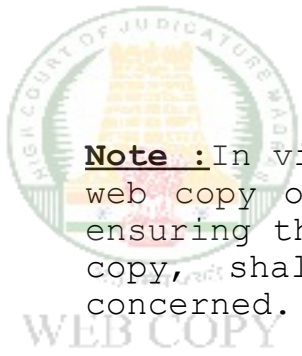
Sd/-

Assistant Registrar(CS.III)

// True Copy //

/ /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,
Collectorate,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Firka Surveyor,
Kadayanallur Taluk,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-13190[F] dated 21/03/2022)

ORDER MADE IN
W.P. [MD]No.4808 of 2022
18.03.2022

SA(31.03.2022) 3P 5C