



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4967 of 2022

Gurusamy

.. Petitioner

Vs

1.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

2.The Surveyor,
Sivakasi Taluk,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to conduct survey and mark four boundaries to the petitioner property comprised in Sur.No.236/2A1B, situated at Thiruthangal Village, Sivakasi Taluk, Virudhunagar District, within a stipulated time period in accordance with law on the basis of the petitioner's application, dated 22.11.2021.

For Petitioner	: Mr.R.Shenbagaraj
For Respondents	: Mrs.S.Jeyapriya Government Advocate

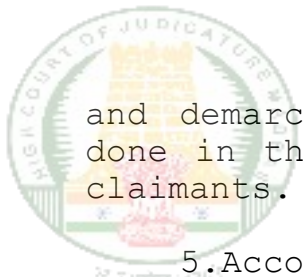
ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to measure the lands comprised in Sur.No.236/2A1B, situated at Thiruthangal Village, Sivakasi Taluk, Virudhunagar District and fix the boundaries in the said survey number based on the petitioner's application dated 22.11.2021, within a time frame to be fixed by this Court.

2.The petitioner claims that the aforementioned property was allotted to his father by way of a partition deed and the patta also stands in his father's name, thereby, the petitioner is in possession of the aforementioned property. He has submitted an application on 22.11.2021, to the respondents, calling upon them to survey and demarcate the boundaries for the aforementioned property. Since the said application has not been considered till date, he has filed this writ petition.

3.Heard Mr.R.Shenbagaraj, learned counsel for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents.

4.No prejudice will be caused to the respondents, if the survey



and demarcation of boundaries for the aforementioned property is done in the presence of the petitioner as well as any other rival claimants.

5. Accordingly, this Court directs the second respondent to survey and demarcate the boundaries pertaining to the property in Sur.No.236/2A1B, situated at Thiruthangal Village, Sivakasi Taluk, Virudhunagar District and fix the boundaries in the said survey number, after affording a fair hearing to the petitioner and any other rival claimants, 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 (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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,
Sivakasi Taluk,
Virudhunagar District.

2. The Surveyor,
Sivakasi Taluk,
Virudhunagar District.

+1 CC to M/s.R.SHENBAGARAJ, Advocate (SR-13647[F] dated 23/03/2022)

+1 CC to M/s.SPL GP (SR-13885[F] dated 23/03/2022)

W.P. (MD)No.4967 of 2022
22.03.2022

NSN(CO)

KB(31.03.2022) 2P 5C

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