



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5280 of 2022

M.Jayaraman

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Assistant Director,
Land Survey,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

4.The Head Surveyor,
Thiruppuvanam Taluk,
Sivagangai District.

...Respondents

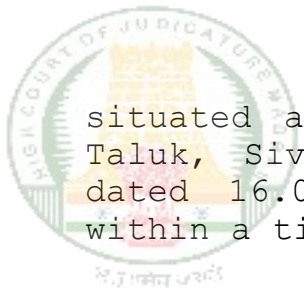
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents No.3 and 4 to survey and mark four boundaries of land assigned in favour of the petitioner bearing Survey No.539/10 admeasuring an extent of 0.00.40 Square Meter situated in Achangulam Village, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District based on the petitioner's application dated 16.09.2021 and subsequent representation dated 14.03.2022 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.K.A.S.Prabhu

For Respondents : Mrs.S.Jeyapriya,
Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 3 and 4 to survey and mark the four boundaries of land assigned in favour of the petitioner bearing Survey No.539/10 admeasuring an extent of 0.00.40 square meter



situated at Achangulam Village, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District based on the petitioner's application dated 16.09.2021 and subsequent representation dated 14.03.2022 within a time frame to be fixed by this Court.

2. The petitioner has been allotted the aforementioned property by an assignment order dated 28.02.2018. According to the petitioner, he is in possession and enjoyment of the same ever since the date of assignment. The petitioner has submitted an application with the respondents on 16.09.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property. Thereafter, he has also given a representation to the respondents dated 14.03.2022. Since the said application has not been considered till date, this Writ Petition has been filed.

3. Heard Mr.K.A.S.Prabhu, learned counsel for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, 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 submitted an application on 16.09.2021 for the said purpose.

5. No prejudice would be caused to the respondents, if the application of the petitioner dated 16.09.2021 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 fourth respondent to survey and mark the four boundaries of land assigned in favour of the petitioner bearing Survey No.539/10 admeasuring an extent of 0.00.40 square meter situated at Achangulam Village, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District, 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-I)

// 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.

WEB COPY

To
1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Assistant Director,
Land Survey,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

4.The Head Surveyor,
Thiruppuvanam Taluk,
Sivagangai District.

+1 CC to M/s.K.A.S.PRABHU, Advocate (SR-14398[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-14543[F] dated 25/03/2022)

W.P. (MD) .No.5280 of 2022
24.03.2022

AC (CO)
GC(20.04.2022) 3P 7C