



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5325 of 2022

M.Karuppaiah

.. Petitioner

Vs

1.The District Collector,
Collector Office,
Theni District - 625 531.

2.The Tahsildar,
Taluk Office,
Andipatty Taluk,
Theni District - 625 512.

3.The Land Surveyor,
Tahsildar Office,
Andipatty Taluk,
Theni District - 625 512.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to measure and demarcate the lands in Survey Nos.549 now subdivided as Survey No.549/3 to the total extent of 4 acres and 69 cents, which situate at Pulimankombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District, based on representation, of the petitioner dated 27.01.2022.

For Petitioner : Mr.M.Benazir Begum

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to measure the lands comprised in Survey Nos.549 now subdivided as Survey No.549/3 to the total extent of 4 acres and 69 cents, which is situated at Pulimankombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District and fix the boundaries in the said survey number based on the petitioner's application dated 27.01.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property having got the same by way of a settlement



deed dated 23.08.2021. He has submitted an application on 27.01.2022, 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.

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3. Heard Ms.M.Benazir Begum, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, 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 claimant.

5.Accordingly, this Court directs the second respondent to survey and demarcate the boundaries pertaining to the property in Survey Nos.549 now subdivided as Survey No.549/3 to the total extent of 4 acres and 69 cents, which is situated at Pulimankombai Village, Andipatty Sub Division, Andipatty Taluk, Theni District and fix the boundaries in the said survey number, after affording a fair hearing to the petitioner and any other rival claimant, 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 (A.D.I)

// 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 District Collector,
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Theni District - 625 531.



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Taluk Office,
Andipatty Taluk,
Theni District - 625 512.

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Tahsildar Office,
Andipatty Taluk,
Theni District - 625 512.

+1 CC to M/s.SPL GP (SR-14925[F] dated 28/03/2022)

W.P. (MD) No.5325 of 2022

25.03.2022

_RD(04.04.2022) 3P 5C