



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5725 of 2022

S.Kupusamy

... Petitioner

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Special Tahsildar,
Adi Dravidar Welfare,
Collectorate Campus,
Madurai - 20.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to measure the property in Survey No.181/213A in Plot No.53 measuring to an extent of 2 cents situated at Thiruvengkadam Village, Cholavandhan Revenue Group, Vadipatti Taluk, Madurai District as per the representation made by the petitioner dated 12.02.2022 within the time limit prescribed by this Court.

For Petitioner	:	Mr.K.C.Ramalingam
For Respondents	:	Mr.T.Amjad Khan, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to measure the property in Survey No.181/213A in Plot No.53 measuring to an extent of 2 cents situated at Thiruvengkadam Village, Cholavandhan Revenue Group, Vadipatti Taluk, Madurai District based on the petitioner's representation dated 12.02.2022 within a time frame to be fixed by this Court.

2. The petitioner has submitted a representation to the respondents on 12.02.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property which he claims that it belongs to him, since the petitioner is the assignee vide order of assignment dated 16.07.1997. Since the said representation has not been considered till date, this Writ Petition has been filed.



3. Heard Mr.K.C.Ramalingam, learned counsel for the petitioner and Mr.T.Amjad Khan, 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 given a representation on 12.02.2022 for the said purpose.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 12.02.2022 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 respondents to survey and fix the boundaries in the petitioner's property in Survey No.181/213A in Plot No.53 measuring to an extent of 2 cents situated at Thiruvengkadam Village, Cholavandhan Revenue Group, Vadipatti Taluk, Madurai 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(CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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,
Madurai,
Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Special Tahsildar,
Adi Dravidar Welfare,
Collectorate Campus,
Madurai - 20.

+1 CC to M/s.K.C.RAMALINGAM, Advocate (SR-15474[F] dated 30/03/2022
+1 CC to M/s.SPL GP (SR-15665[F] dated 31/03/2022)

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30.03.2022

nsn(CO)
TR(07.04.2022) 3P 5C