



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.6181 of 2022

S.Pramila

.. Petitioner

Vs

1.The District Collector,
Virudhunagar District Collectorate,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Mudangiar Road,
Rajapalayam - 626 117,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to conduct survey in the petitioner's land in Survey No.821/2 in Melarajakularaman Village, Rajapalayam Taluk, Virudhunagar District as per the petitioner's application, dated 14.09.2021 and based upon the representation, dated 24.03.2022.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.B.Saravanan,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to survey the land in Survey No.821/2 in Melarajakularaman Village, Rajapalayam Taluk, Virudhunagar District, on the basis of the petitioner's application dated 14.09.2021 and representation dated 24.03.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted an application, dated 14.09.2021, followed by a representation to the respondents on 24.03.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which she claims that it belongs to her absolutely. Since the said application has not been considered till date, this writ petition has been filed.

3.Heard Mr.K.K.Kannan, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the official respondents.

4.The petitioner has produced documents in support of her case that she is the owner of the aforementioned property. She has sought for a survey and fixation of boundaries by the appointment of a



Surveyor and the petitioner has given an application on 14.09.2021 and a representation on 24.03.2022 for the said purpose.

5.No prejudice would be caused to the respondents, if the application filed by the the petitioner, dated 14.09.2021, followed by a representation, dated 24.03.2022 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 second respondent to survey and fix the boundaries in the petitioner's land in Survey No.821/2 in Melarajakularaman Village, Rajapalayam Taluk, Virudhunagar 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 (AS)

// 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,
Virudhunagar District Collectorate,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Mudangiar Road,
Rajapalayam - 626 117,
Virudhunagar District.

+1 CC to M/s.K.K.KANNAN, Advocate (SR-16487[F] dated 05/04/2022)
+1 CC to M/s.SPL.GP (SR-16896[F] dated 06/04/2022)

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