



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6258 of 2022

Chinna Thambi Amabalam

... Petitioner

Vs.

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Assistant Director of Survey and Land Records,
District Survey Office,
Sivagangai.

3.The Deputy Inspector of Survey,
Devakottai,
Sivagangai District.

4.The Surveyor,
Devakottai Taluk Office,
Sivagangai District.

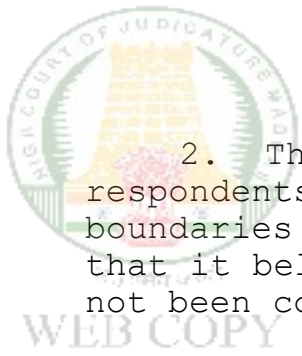
...Respondents

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 to survey the petitioner's land, to an extent of 38 cents, situating in Survey No.115/7C1, situating in Kurunthanakottai Village, Devakottai Taluk, Sivagangai District, as per the proceedings of the second respondent proceedings in O.Mu.AA1/3812/2020 dated 11.12.2020 by considering the petitioner's representation dated 03.09.2020 within the time limit that may be stipulated by this Court.

For Petitioner	:	Mr.M.S.Jeyakarthik
For Respondents	:	Mr.M.Lingadurai, Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to survey the petitioner's land measuring to an extent of 38 cents in Survey No.115/7C1 situated at Kurunthanakottai Village, Devakottai Taluk, Sivagangai District, as per the proceedings of the second respondent in O.Mu.AA1/3812/2020 dated 11.12.2020 by considering the petitioner's representation dated 03.09.2020 within a time frame to be fixed by this Court.



2. The petitioner has submitted a representation to the respondents on 03.09.2020 seeking for survey and demarcation of boundaries in respect of the aforementioned property which he claims that it belongs to him absolutely. Since the said representation has not been considered till date, this Writ Petition has been filed.

3. Heard Mr.M.S.Jeyakarthik, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, 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 03.09.2020 for the said purpose.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 03.09.2020 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 fix the boundaries in the petitioner's land measuring to an extent of 38 cents in Survey No.115/7C1 situated at Kurunthanakottai Village, Devakottai 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 (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Assistant Director of Survey and Land Records,
District Survey Office,
Sivagangai.



3.The Deputy Inspector of Survey,
Devakottai,
Sivagangai District.

4.The Surveyor,
Devakottai Taluk Office,
Sivagangai District.

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate (SR-16765[F] dated
06/04/2022)

+1 CC to M/s.SPL.GP (SR-17154[F] dated 07/04/2022)

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KG (CO)
KB (20.04.2022) 3P 7C