



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.6360 of 2022

S.Jeyabalan

.. Petitioner

Vs

1.The Tahsildar,
Manmangalam Taluk,
Mangangalam,
Karur District.

2.The Firka Surveyor,
O/o Manmangalam Tahsildar Office,
Manmangalam Taluk,
Karur District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to complete the survey in terms of survey notice, dated 23.10.2021 in respect of property comprised in S.No.100/1, 2, 3 & 4, Punjai Kadampankurichi, Manmangalam Taluk, Karur District.

For Petitioner : Mr.R.Murali

For Respondents : Mr.D.Sasikumar

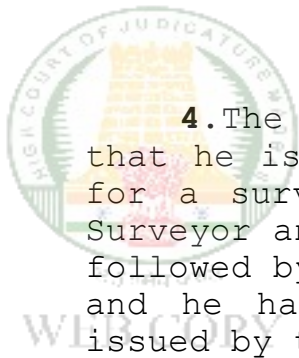
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to complete the survey in terms of survey notice, dated 23.10.2021 in respect of property comprised in S.No.100/1, 2, 3 & 4, Punjai Kadampankurichi, Manmangalam Taluk, Karur District, within a time to be framed by this Court.

2.The petitioner has submitted a representation to the respondents on 22.12.2020 initially, seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to him absolutely and also paid necessary charges for that purpose. According to the petitioner, even though the survey notice was also issued on 23.10.2021, no proper survey was conducted. Therefore, he again sent a representation on 13.12.2021. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.R.Murali, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional 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 21.12.2020 followed by the representation dated 13.12.2021 for the said purpose and he has also paid necessary charges. Survey notice was also issued by the second respondent on 23.10.2021.

5.No prejudice would be caused to the respondents, if the representations of the petitioner dated 21.12.2020 and 13.12.2021, are considered on merits and in accordance with law after giving notice to the petitioner and any other rival claimants, if any,

6.Accordingly, this Court directs the second respondent to survey and fix the boundaries in the petitioner's land comprised in S.No.100/1, 2, 3 & 4, Punjai Kadampankurichi, Manmangalam Taluk, Karur 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 Tahsildar,
Manmangalam Taluk,
Mangangalam,
Karur District.



2.The Firka Surveyor,
O/o Manmangalam Tahsildar Office,
Manmangalam Taluk,
Karur District.

+1 CC to M/s.SARVABHAUMAN ASSOCIATES, Advocate (SR-17315[F]
dated 07/04/2022)

+1 CC to M/s.SPL.GP (SR-17157[F] dated 07/04/2022)

W.P. (MD)No.6360 of 2022

06.04.2022

CK(CO)

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