



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6332 of 2022

Prabaharan

... Petitioner

/Vs./

1.The Tahsildar,
Guziliamparai,
Guziliamparai Taluk,
Dindigul District.

2.The Frika Surveyor,
Palayam Frika,
Guziliamparai Taluk,
Dindigul District.

3.The Village Administrative Officer,
Mallapuram Village,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to conduct survey as per Tamil Nadu Survey and boundaries Act, 1923 and to demarcate lands comprised in S.Nos.1329/2, 1315/1B, 1315/1C and 1316/1 situated at Mallapuram Village, Vedasanthur Taluk, Dindigul District and fix the boundaries by considering the writ petitioner's application dated 26.11.2021 within time stipulated by this Court.

For Petitioner : Ms.S.Meena
For Respondents : Mrs.S.Jeyapriya
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to measure and demarcate the lands comprised in S.Nos.1329/2, 1315/1B, 1315/1C and 1316/1 situated at Mallapuram Village, Vedasanthur Taluk, Dindigul District and fix the boundaries by considering the writ petitioner's application dated 26.11.2021, within a time frame to be fixed by this Court.

2.The petitioner has submitted an application to the respondents on 26.11.2021 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 application has not been considered till date, this writ petition has been filed.



3. Heard Ms.S.Meena, learned Counsel for the writ petitioner and Mrs.S.Jeyapriya, 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 survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given an application on 26.11.2021 for the said purpose.

5. No prejudice would be caused to the respondents, if the application of the petitioner dated 26.11.2021 is considered on merits and in accordance with law, after affording a fair hearing to 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 lands comprised in S.Nos.1329/2, 1315/1B, 1315/1C and 1316/1 situated at Mallapuram Village, Vedasanthur Taluk, Dindigul 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 (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Tahsildar,
Guziliamparai,
Guziliamparai Taluk,
Dindigul District.

2. The Frika Surveyor,
Palayam Frika,
Guziliamparai Taluk,
Dindigul District.



3.The Village Administrative Officer,
Mallapuram Village,
Dindigul District.

+1 CC to M/s.V. UTHAYAKUMAR, Advocate (SR-17585[F] dated 08/04/2022)

+1 CC to M/s.SPL.GP (SR-17206[F] dated 07/04/2022)

order made in

W.P. [MD]No.6332 of 2022

Dated:

06.04.2022

SR(CO)

GC(20.04.2022) 3P 6C