



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6456 of 2022

Balamurugan

... Petitioner

Vs.

1.The Tahsildar,
Madurai West Taluk Office,
Viratthipathu,
Madurai.

2.The Taluk Surveyor,
Madurai West Taluk Office,
Viratthipathu,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to conduct survey the property in Patta No.3961 with respect to Old Survey No.19/A3 and the New Survey Nos.19A/3B2 and 19A/6A2 for a total extent of 0.6.48 Hectare, which is situated at Karadippatti Village, Madurai West Taluk, Madurai District on the basis of the petitioner's application dated 05.02.2022 within time frame fixed by this Court.

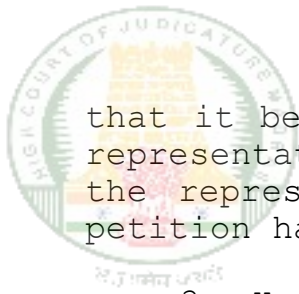
For Petitioner : Mr.M.Palani

For Respondents : Mrs.S.Jeyapriya,
Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to survey the property in Patta No.3961 with respect to Old Survey No.19/A3, New Survey Nos.19A/3B2 and 19A/6A2 measuring a total extent of 0.6.48 Hectare, situated at Karadippatti Village, Madurai West Taluk, Madurai District based on the petitioner's application dated 05.02.2022 within a time frame to be fixed by this Court.

2. The petitioner has submitted an application to the respondents on 05.02.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property which he claims



that it belongs to him absolutely. Thereafter, he has also given a representation on 31.03.2022. Since the said application as well as the representation have not been considered till date, this writ petition has been filed.

3. Heard Mr.M.Palani, learned counsel for the 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 a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has submitted an application on 05.02.2022 for the said purpose.

5. No prejudice would be caused to the respondents, if the application of the petitioner dated 05.02.2022 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 second respondent to survey and fix the boundaries in the petitioner's property in Patta No.3961 with respect to Old Survey No.19/A3, New Survey Nos.19A/3B2 and 19A/6A2 measuring a total extent of 0.6.48 Hectare, situated at Karadippatti Village, Madurai West Taluk, Madurai District, after giving notice to the petitioner and the 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

To

1.The Tahsildar,
Madurai West Taluk Office,
Viratthipathu,
Madurai.



2.The Taluk Surveyor,
Madurai West Taluk Office,
Viratthipathu,
Madurai.

WEB COPY

+1 CC to M/s.M. PALANI, Advocate (SR-17215[F] dated 07/04/2022)

+1 CC to M/s.SPL.GP (SR-17905[F] dated 11/04/2022)

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RK(26/04/2022) 3P 5C