



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.6521 of 2022

M.Indira Devi

.. Petitioner

Vs

1.The District Collector,
O/o. The District Collector,
Dindigul, Dindigul District.

2.The Tahsildar,
O/o. The Tahsildar Office,
Nilakottai,
Dindigul District.

3.The Taluk Surveyor,
O/o. Tahsildar Office,
Nilakkottai,
Dindigul District.

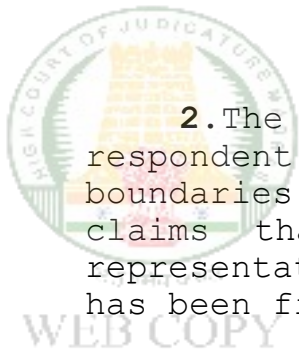
.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd Respondent to survey the land and fix the boundary lines to the extent of 3 acres and 45 - 1/2 cents instead of 2 acres 66 cents, which is wrongly mentioned in the patta No.518 situated at S.No.238/1 and resurvey Nos. 283/1, 283/2A, 299/1B4 and 299/2 at Nilakottai Village, Nilakottai Block, Dindigul District and issue patta in favour of the petitioner by considering the petitioner's representations dated 12.03.2019, 20.09.2020 and 17.08.2021, within stipulated time frame fixed by this Court.

For Petitioner : Mr.R.Ganesh Prabhu
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 3rd Respondent to survey the land and fix the boundary lines to the extent of 3 acres and 45 - 1/2 cents instead of 2 acres 66 cents, which is wrongly mentioned in the patta No.518 situated at S.No.238/1 and resurvey Nos. 283/1, 283/2A, 299/1B4 and 299/2 at Nilakottai Village, Nilakottai Block, Dindigul District, on the basis of the petitioner's representation, dated 17.08.2021, within a time frame to be fixed by this Court.



2.The petitioner has submitted a representation to the respondent on 17.08.2021, 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 representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.R.Ganesh Prabhu, learned Counsel for the writ 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 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 a representation, dated 17.08.2021.

5.No prejudice would be caused to the respondents, if the representation of the petitioner, dated 17.08.2021, 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 third respondent to survey and fix the boundaries in the petitioner's land in 3rd Respondent to survey the land and fix the boundary lines to the extent of 3 acres and 45 - 1/2 cents instead of 2 acres 66 cents, which is wrongly mentioned in the patta No.518 situated at S.No.238/1 and resurvey Nos. 283/1, 283/2A, 299/1B4 and 299/2 at Nilakottai Village, Nilakottai Block, 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 (T&P)

// 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,
O/o. The District Collector,
Dindigul, Dindigul District.

2.The Tahsildar,
O/o. The Tahsildar Office,
Nilakottai,
Dindigul District.

3.The Taluk Surveyor,
O/o. Tahsildar Office,
Nilakkottai,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-17966[F] dated 11/04/2022)

W.P. (MD)No.6521 of 2022

08.04.2022

NSN(CO)

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