



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.6762 of 2022

Sarangapani

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tahsildar,
Peravoorani Taluk,
Thanjavur District.
- 3.The Firka Surveyor,
Peravoorani Taluk,
Thanjavur District.
- 4.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 5.The Inspector of Police,
Peravoorani Police Station,
Thanjavur District.
- 6.Chandramohan
- 7.Leelavathi
- 8.Gunasekaran
- 9.Elango

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to survey and to measure and to fix the boundary of their land admeasuring (*)0.03.0 Ares in Resurvey No.447/10 C2 and 0.04.0 Ares in Resurvey No.447/10 C1 on the immediate South of Survey No.447/10 C2, situate at Veeriyankottai Village, Peravoorani Taluk, Thanjavur District, affording adequate police protection by respondents 4 and 5



within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.N.Balakrishnan

For Respondents 1 to 5 : Mr.D.Sasikumar

Additional Government Pleader

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O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 and 3 to survey and to measure and to fix the boundary of the petitioner's land admeasuring (*)0.03.0 Ares in Resurvey No.447/10 C2 and 0.04.0 Ares in Resurvey No.447/10 C1 on the immediate South of Survey No.447/10 C2, situated at Veeriyankottai Village, Peravoorani Taluk, Thanjavur District affording adequate police protection by respondents 4 and 5, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 16.10.2020, 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.N.Balakrishnan, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 5.

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 16.10.2020 for the said purpose.

5.No prejudice would be caused to the official respondents if the representation of the petitioner dated 16.10.2020, 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 second respondent to survey and fix the boundaries with the assistance of the third respondent in the petitioner's property admeasuring (*)0.03.0 Ares in Resurvey No.447/10 C2 and 0.04.0 Ares in Resurvey No.447/10 C1 on the immediate South of Survey No.447/10 C2, situated at Veeriyankottai Village, Peravoorani Taluk, Thanjavur District, after giving notice to the petitioner, the respondents 6 to 9 and any other rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order. If required, the second respondent shall seek assistance of the fifth respondent



WP[MD]



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police for the purpose of conducting survey and demarcation of petitioner's land.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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Sd/-

Assistant Registrar (Writs)

(*) Corrected as per the order of this Court in W.P. [MD] No. 6762 of 2022 dated 23.12.2022

Sd/-

Assistant Registrar (T&P)

// True Copy //

/01/2023

Sub Assistant Registrar (CS)

MR

To

(*) To be substituted to the order already despatched on 04.05.2022

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Tahsildar,
Peravoorani Taluk, Thanjavur District.
3. The Firka Surveyor,
Peravoorani Taluk, Thanjavur District.
4. The Superintendent of Police,
Thanjavur District,
Thanjavur.
5. The Inspector of Police,
Peravoorani Police Station,
Thanjavur District.

+1 CC to M/s. N. BALAKRISHNAN, Advocate (SR-18663[F] dated 13/04/2022)

+1 CC to M/s. SPL.GP. (SR-18583[F] dated 13/04/2022)

W.P. [MD] No. 6762 of 2022
12.04.2022

MGJ(28.04.2022) 3P 8C