



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.6766 of 2022

N.Vijayan

... Petitioner

Vs.

The Tahsildar,
Peraiyur Taluk,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to measure the properties comprised in S.No.37/9 an extent of 0.61.50 Ares (1 Acre 52 cents), S.No.37/10 an extent of 0.02.5 Ares (0.06 cents) and S.No.37/11 an extent of 0.67.50 Ares (1 Acre 67 cents) situated in Chinnapoolampatti Village, Peraiyur, Madurai District and to fix the four boundaries on the basis of petitioner's representation dated 21.03.2022 after due notice and in accordance with law within the time stipulated by this Court.

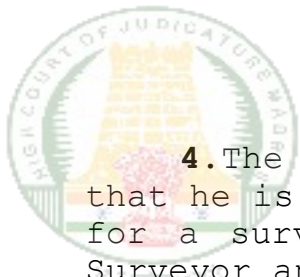
For Petitioner : Mr.Babu Rajendran
For Respondent : Mr.T.Amjad Khan
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to measure the properties comprised in S.No.37/9 measuring an extent of 0.61.50 Ares (1 Acre 52 cents), S.No.37/10 measuring an extent of 0.02.5 Ares (0.06 cents) and S.No.37/11 measuring an extent of 0.67.50 Ares (1 Acre 67 cents) situated in Chinnapoolampatti Village, Peraiyur, Madurai District and to fix the four boundaries, on the basis of petitioner's representation dated 21.03.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondent on 21.03.2022, seeking for survey and demarcation of boundaries in respect of the aforementioned properties 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.Babu Rajendran, learned Counsel for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate who accented notice on behalf of the respondent.



4.The petitioner has produced documents in support of his case that he is the owner of the aforementioned properties. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 21.03.2022 for the said purpose.

5.No prejudice would be caused to the respondent, if the representation of the petitioner dated 21.03.2022, 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 respondent to survey and fix the boundaries of the petitioner's properties comprised in S.No.37/9 measuring an extent of 0.61.50 Ares (1 Acre 52 cents), S.No.37/10 measuring an extent of 0.02.5 Ares (0.06 cents) and S.No.37/11 measuring an extent of 0.67.50 Ares (1 Acre 67 cents) situated in Chinnapoolampatti Village, Peraiyur, Madurai 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. If required, the respondent shall seek assistance of the concerned police for the purpose of conducting survey and demarcation of the petitioner's properties.

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

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

The Tahsildar,
Peraiyur Taluk,
Madurai District.

+1 CC to M/s.BABU RAJENDRAN, Advocate(SR-18292[F] dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18579[F] dated 13/04/2022)

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