



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7070 of 2022

V.Imanuvel

... Petitioner

/Vs./

- 1.The District Collector,
Office of the District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Tahsildhar,
Office of the Tahsildhar of Kadaladi,
Kadaladi Taluk, Ramanathapuram District.
- 3.The Surveyor,
Office of the Tahsildhar of Kadaladi,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd and 3rd respondents to measure and demarcate the property in S.No.285/2 an extent of 1.22.0 Ares, S.No.289/3 an extent of 1.82.50 Ares in patta No.1248 of Aapanoor Punavasal Village, Kadaladi Taluk, Ramanathapuram District belongs to the petitioner's family, as per his application dated 19.07.2021 within the time limit stipulated by this Court.

For Petitioner

: Mr.N.S.Karthikeyan

For Respondents

: Mr.M.Lingadurai

Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second and third respondents to measure and demarcate the property in S.No.285/2 an extent of 1.22.0 Ares, S.No.289/3 an extent of 1.82.50 Ares in patta No.1248 of Aapanoor Punavasal Village, Kadaladi Taluk, Ramanathapuram District, based on the petitioner's application dated 19.07.2021, within a time frame to be fixed by this Court.

2.The petitioner has submitted an application to the respondents on 19.07.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to his father and his father's siblings absolutely. Since the said application has not been considered till date, this writ petition has been filed.



3.Heard Mr.N.S.Karthikeyan, 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 his case that his father and his father's siblings are the owners 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 an application on 19.07.2021 for the said purpose.

5.No prejudice would be caused to the respondents, if the application of the petitioner dated 19.07.2021 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 with the assistance of the third respondent to survey and fix the boundaries in the the property in S.No.285/2 an extent of 1.22.0 Ares, S.No.289/3 an extent of 1.82.50 Ares in patta No.1248 of Aapanoor Punavasal Village, Kadaladi Taluk, Ramanathapuram 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 (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Office of the District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Tahsildhar,
Office of the Tahsildhar of Kadaladi,
Kadaladi Taluk, Ramanathapuram District.
- 3.The Surveyor,
Office of the Tahsildhar of Kadaladi,
Kadaladi Taluk, Ramanathapuram District.



+1 CC to M/s.N.S. KARTHIKEYAN, Advocate (SR-18962[F] dated 18/04/2022)

+1 CC to M/s.SPL.GP (SR-19348[F] dated 19/04/2022)

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SB(CO)

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