



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7177 of 2022

S.Marimuthu

... Petitioner

/Vs./

1.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Vilathikulam Taluk,
Thoothukudi District.

3.The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.

4.Baskaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to survey and demarcate the petitioner's property in Survey No.266 situated in Vembar Village, Vilathikulam Taluk, Thoothukudi District admeasuring 28 cents, with the aid of the 3rd respondent, within the time frame fixed by this Court.

For Petitioner

: Mr.R.J.Karthick

For R1 to R3

: Mr.M.Lingadurai

Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to survey and demarcate the petitioner's property in Survey No.266 situated in Vembar Village, Vilathikulam Taluk, Thoothukudi District, admeasuring 28 cents, based on the petitioner's application dated 01.04.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted an application to the respondents on 01.04.2022 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 application has not been considered till date, this writ petition has been filed.



3.Heard Mr.R.J.Karthick, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the official 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 given an application on 01.04.2022 for the said purpose.

5.No prejudice would be caused to the respondents, if the application of the petitioner dated 01.04.2022 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, the fourth respondent as well as the rival claimants, if any.

6.Accordingly, this Court directs the first respondent with the assistance of the second respondent to survey and fix the boundaries in the petitioner's property admeasuring 28 cents in Survey No.266 situated in Vembar Village, Vilathikulam Taluk, Thoothukudi District, after giving notice to the petitioner, the fourth respondent 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 first respondent shall seek assistance of the third respondent police for the purpose of conducting survey and demarcation of the petitioner's land.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Vilathikulam Taluk,
Thoothukudi District.



3.The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.

4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.SPL.GP (SR-19386[F] dated 19/04/2022)

W.P.[MD]No.7177 of 2022
18.04.2022

SG(CO)
KB(02.05.2022) 3P 6C