



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7332 of 2022

S.Jengiskhan

... Petitioner

Vs.

1.The Tahsildar,
Madurai West Taluk Office,
Madurai District.

2.The Taluk Surveyor,
Madurai West Taluk,
Madurai District.

3.Muthulakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to conduct the survey and fix the boundary stones in respect of the petitioner's property comprised in R.S.No.5/4 of an extent of 10 cents out of 26 cents situated at Vadivelkarai Village, Madurai West Taluk, Madurai on the basis of the petitioner's application dated 02.11.2021 within the time fixed by this Court.

For Petitioner	:	Mr.R.Ganesan
For R-1 and R-2	:	Mr.B.Saravanan, Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first and second respondents to conduct the survey and fix the boundary stones in respect of the petitioner's property comprised in R.S.No.5/4 measuring an extent of 10 cents out of 26 cents situated at Vadivelkarai Village, Madurai West Taluk, Madurai based on the petitioner's representation dated 02.11.2021 within a time frame to be fixed by this Court.

2. The petitioner has submitted a representation to the respondents on 02.11.2021 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.R.Ganesan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the first and second 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 survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 02.11.2021 for the said purpose.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 02.11.2021 is considered on merits and in accordance with law after hearing the petitioner and the third respondent as well as the rival claimants, if any.

6. Accordingly, this Court directs the official respondents to survey and fix the boundaries in the petitioner's property comprised in R.S.No.5/4 measuring an extent of 10 cents out of 26 cents situated at Vadivelkarai Village, Madurai West Taluk, Madurai after giving notice to the petitioner and the third respondent as well as the 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)

Lm

To

1.The Tahsildar,
Madurai West Taluk Office,
Madurai District.

2.The Taluk Surveyor,
Madurai West Taluk,
Madurai District.

+1 CC to M/s.R. GANESHAN, Advocate (SR-19682[F] dated 20/04/2022)

+1 CC to M/s.SPL.GP. (SR-19722[F] dated 20/04/2022)

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19.04.2022

MGJ(04.05.2022) 2P 5C

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