



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7402 of 2022

P.Muthupandi

... Petitioner

Vs.

1.The Tahsildar,
Periyakulam Taluk,
Theni District.

2.The Surveyor,
Periyakulam Taluk,
Theni District.

3.The Firka Surveyor,
Devathanapatti Firka,
Periyakulam Taluk,
Theni District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to survey, demarcate and determine the boundary of the petitioner's property to the extent of first item 9.5 cents and second item East West on both sides 17 feet; North South on both sides 12 feet situated in Survey No.1189 vide Joint Patta No.4775 at Ammapatti Street, Melmangalam Village, Periyakulam Taluk, Theni District within a specific period as fixed by this Court.

For Petitioner	:	Mr.S.Balaji
For Respondents	:	Mr.T.Amjad Khan, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to survey, demarcate and determine the boundary of the petitioner's property to the extent of first item 9.5 cents and second item East West on both sides 17 feet; North South on both sides 12 feet situated in Survey No.1189 vide Joint Patta No.4775 at Ammapatti Street, Melmangalam Village, Periyakulam Taluk, Theni District within a time frame to be fixed by this Court.



2. The petitioner has given a representation to the respondents on 17.03.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property which he claims that it belongs to him and his family members. Since the said representation has not been considered till date, this Writ Petition has been filed.

3. Heard Mr.S.Balaji, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondents.

4. The petitioner has produced documents in support of his case that he and his family members are the owners 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 17.03.2022 for the said purpose.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 17.03.2022 is considered on merits and in accordance with law after hearing the petitioner and other joint pattadhars 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 to the extent of first item 9.5 cents and second item East West on both sides 17 feet; North South on both sides 12 feet situated in Survey No.1189 vide Joint Patta No.4775 at Ammapatti Street, Melmangalam Village, Periyakulam Taluk, Theni District after giving notice to the petitioner and other joint pattadhars 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 (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The Tahsildar,
Periyakulam Taluk,
Theni District.



2.The Surveyor,
Periyakulam Taluk,
Theni District.

3.The Firka Surveyor,
Devathanapatti Firka,
Periyakulam Taluk,
Theni District.

+1 CC to M/s.SPL.GP (SR-20066[F] dated 21/04/2022)

+1 CC to M/s.S. BALAJI, Advocate (SR-20707[F] dated 22/04/2022)

W.P. (MD) .No.7402 of 2022
20.04.2022

RD(02.05.2022) 3P 6C