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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **20.04.2022**
CORAM:
THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**
W.P.[MD]No.7490 of 2022

V.Rajappan ... Petitioner

/Vs./

1.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

2.The Firka Surveyor,
Arasarkulam Firka,
Aranthangi Taluk,
Pudukkottai District.

3.Selvi ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd Respondents to measure the petitioner's land in S.F.No.93/4C to an extent of 4.50 ares situated at Amarasimmenthirapuram Post, Aranthangi Taluk, Pudukkottai District, based on the petitioner's representation dated 16.11.2021.

For Petitioner : Mr.M.Suresh
For R1 & R2 : Mrs.S.Jeyapriya
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 1st and 2nd respondents to measure the petitioner's land in S.F.No.93/4C to an extent of 4.50 ares situated at Amarasimmenthirapuram Post, Aranthangi Taluk, Pudukkottai District, based on the petitioner's representation dated 16.11.2021, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 16.11.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to his father absolutely. His father, namely, Veeraiah, died on 22.10.1996 leaving behind his wife and his two sons as legal heirs. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.M.Suresh, learned Counsel for the writ petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2.

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4.The petitioner has produced documents in support of his case that his father 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 a representation on 16.11.2021 for the said purpose.

5.No prejudice would be caused to the respondents, if the survey and demarcation of the boundaries is done in the presence of the petitioner, other legal heirs of the deceased Veeraiah and any other necessary party, whom the first respondent deems fit to put on notice at the time of survey.

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 land in S.F.No.93/4C to an extent of 4.50 ares situated at Amarasimmenthirapuram Post, Aranthangi Taluk, Pudukkottai District, after giving notice to the petitioner, other legal heirs of the deceased Veeraiah and any other necessary party, whom the first respondent deems fit to put on notice at the time of survey, 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 (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

2.The Firka Surveyor,
Arasarkulam Firka,
Aranthangi Taluk,
Pudukkottai District.

+1 CC to M/s.M. SURESH, Advocate (SR-19950[F] dated 21/04/2022)
+1 CC to M/s.SPL.GP (SR-20079[F] dated 21/04/2022)

order made in

W.P.[MD]No.7490 of 2022

Dated:

20.04.2022

SRR(CO)GC(02.05.2022) 2P 5C

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