



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7948 of 2022

Ramathal

... Petitioner

vs.

1.The Tahsildar, Sivagiri Taluk, Tenkasi District.

2.The Surveyor, Sivagiri Taluk, Tenkasi District.

3.Sivakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to conduct survey and mark four boundaries to the petitioner's property comprised in Old Survey No.70/2 New Survey No.70/2A1A admeasures to an extent of 3484.8 Sq.Ft situated at Nerkattumseval Village, Sivagiri Taluk, Tenkasi District within a stipulated time period in accordance with law on the basis of the application dated 21.03.2022.

For Petitioner

:Mr.C.Senthil Murugan

For R1 and R2

:Mr.M.Lingadurai

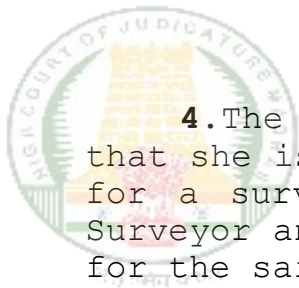
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to conduct survey and demarcation of four boundaries of the petitioner's property comprised in Old Survey No.70/2 New Survey No.70/2A1A measuring an extent of 3484.8 Sq.Ft situated at Nerkattumseval Village, Sivagiri Taluk, Tenkasi District based on the petitioner's application dated 21.03.2022 within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 21.03.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which she claims that it belongs to her absolutely. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.C.Senthil Murugan, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2.



4.The petitioner has produced documents in support of her case that she is the owner of the aforementioned property. She has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 21.03.2022 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 and the third respondent 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 to survey and fix the boundaries with the assistance of the second respondent in the petitioner's property bearing Old Survey No.70/2 New Survey No.70/2A1A measuring an extent of 3484.8 Sq.Ft situated at Nerkattumseval Village, Sivagiri Taluk, Tenkasi District, after giving notice to the petitioner and the third respondent 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 directions, 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)

cmr

To

1.The Tahsildar, Sivagiri Taluk, Tenkasi District.

2.The Surveyor, Sivagiri Taluk, Tenkasi District.

+1 CC to M/s.C. SENTHIL MURUGAN, Advocate (SR-21399[F] dated 26/04/2022)

+1 CC to M/s.SPL.GP. (SR-21184[F] dated 26/04/2022)

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25.04.2022

RD(05.05.2022) 2P 5C