



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.8367 of 2022

Ganesan

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Taluk Surveyor,
Kadayanallur Taluk,
Tenkasi District.

4.The Village Administrative Officer,
Sethamangalam Village,
Tenkasi District.

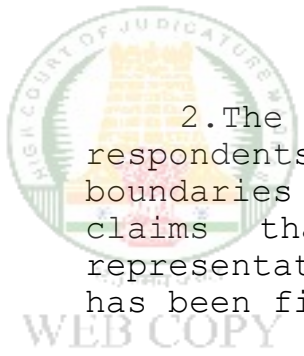
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to survey the land which is situated at the northern portion of 0.01.75 acres in Survey No.301/20 of Senthamangalam Village, Kadayanallur Taluk, Tenkasi District and consequently provide the separate patta to the petitioner for the above mentioned land on the basis of the petitioner's representation dated 12.04.2022.

For Petitioner	:	Mr.R.Chandrasubramanian
For Respondents	:	Mr.T.Amjad Khan, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the third respondent to survey the land which is situated at the northern portion of 0.01.75 acres in Survey No.301/20 of Senthamangalam Village, Kadayanallur Taluk, Tenkasi District and consequently provide separate patta to the petitioner for the above mentioned land on the basis of the petitioner's representation dated 12.04.2022, within a time frame to be fixed by this Court.



2.The petitioner has submitted a representation to the respondents on 12.04.2022 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 representation has not been considered till date, this Writ Petition has been filed.

3.Heard Mr.R.Chandrasubramanian, 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 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 12.04.2022 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 any other necessary party, whom the second respondent deems fit to put on notice at the time of survey.

6.Accordingly, this Court directs the second respondent with the assistance of the third respondent to survey and fix the boundaries in the petitioner's land which is situated at the northern portion of 0.01.75 acres in Survey No.301/20 of Senthamangalam Village, Kadayanallur Taluk, Tenkasi District and to consider the representation of the petitioner with regard to issuance of patta, after giving notice to the petitioner and any other necessary party, whom the second 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 (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Tenkasi District,
Tenkasi.



2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Taluk Surveyor,
Kadayanallur Taluk,
Tenkasi District.

4.The Village Administrative Officer,
Sethamangalam Village,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-23229[F] dated 02/05/2022)

W.P. (MD) .No.8367 of 2022
28.04.2022

RS (25.05.2022) 3P-6C