



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8404 of 2022

J.Samuvel

... Petitioner

Vs.

1.The Tahsildar,
Eral Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Eral Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to survey the land in Natham Survey No.239/1 and in Survey No.240/4 and Survey No.911/2 at Karayadiyoor, Anthinaathapuram Village, Eral Taluk, Thoothukudi District and lay boundary stones based on petitioner Church Pastor namely K.Andrew Victor Gnanaoli representation dated 05.01.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.Selvanayagam

For Respondents : Mr.D.Sasikumar

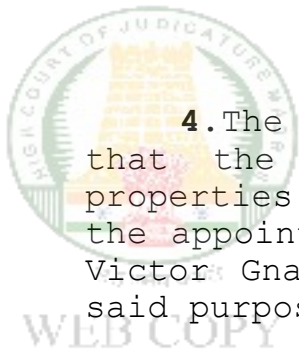
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to survey the land in Natham Survey Nos.239/1, 240/4 and 911/2 at Karayadiyoor, Anthinaathapuram Village, Eral Taluk, Thoothukudi District and lay boundary stones based on petitioner Church Pastor namely K.Andrew Victor Gnanaoli representation dated 05.01.2022, within a time frame to be fixed by this Court.

2.The Church Pastor namely K.Andrew Victor Gnanaoli has submitted a representation to the respondents on 05.01.2022, seeking for survey and demarcation of boundaries in respect of the aforementioned properties which belongs to the subject Church absolutely. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.Selvanayagam, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.



4.The petitioner has produced documents in support of his case that the subject Church is the owner of the aforementioned properties. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the Church Pastor namely K.Andrew Victor Gnanaoli has given a representation on 05.01.2022 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 respondents deem fit to put on notice at the time of survey.

6.Accordingly, this Court directs the first respondent to survey and fix the boundaries in the land in Natham Survey Nos.239/1, 240/4 and 911/2 at Karayadiyoor, Anthinaathapuram Village, Eral Taluk, Thoothukudi District, with the assistance of the second respondent after giving notice to the petitioner 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 (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Tahsildar,
Eral Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Eral Taluk,
Thoothukudi District.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-22719[F] dated 29/04/2022)

+1 CC to M/s.SPL. GP (SR-22974[F] dated 29/04/2022)

ORDER MADE IN
W.P.[MD]No.8404 of 2022
28.04.2022

_SS/16.05.2022 : 2P/5C