



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8451 of 2022

Rajasekar

... Petitioner

/Vs./

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Kariyapatti Taluk Office,
Virudhunagar District.

4.The Head Surveyor,
Kariyapatti Taluk Office,
Virudhunagar District.

5.The Sub-Inspector Of Police,
Aviyur Police Station,
Kariyapatti Taluk,
Virudhunagar District.

6.Ramakrishnan

7.Marnadu

8.Manikandan

9.Chinnakaruppan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd and 4th respondents to survey measure and demarcate the boundaries of the lands in Survey No.94/1H4A and 941H/3B1, situated in Melatheru, Aviyur Village, Kariyapatti Taluk, Virudhunagar District and to provide adequate police protection by considering the petitioner's representation dated 20.04.2022 within the time limit that may be stipulated by this Court.

For Petitioner
For R1 to R5

: Mr.P.Sureshkumar
: Mr.D.Sasikumar
Additional Government Pleader



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 3rd and 4th respondents to survey, measure and demarcate the boundaries of the lands in Survey No.94/1H4A and 941H/3B1, situated in Melatheru, Aviyur Village, Kariyapatti Taluk, Virudhunagar District and to provide adequate police protection by considering the petitioner's representation dated 20.04.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the official respondents on 20.04.2022 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 application has not been considered till date, this writ petition has been filed.

3.Heard Mr.P.Sureshkumar, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the official 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 survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 20.04.2022 for the said purpose.

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

6.Accordingly, this Court directs the third respondent with the assistance of the fourth respondent to survey, measure and fix the boundaries of the lands in Survey No.94/1H4A and 941H/3B1, situated in Melatheru, Aviyur Village, Kariyapatti Taluk, Virudhunagar District, after giving notice to the petitioner, the private respondents and any other necessary party, whom the third 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. If required, the third respondent shall seek assistance of the fifth respondent police for the purpose of conducting survey and demarcation of the petitioner's land.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Kariyapatti Taluk Office,
Virudhunagar District.

4.The Head Surveyor,
Kariyapatti Taluk Office,
Virudhunagar District.

5.The Sub-Inspector Of Police,
Aviyur Police Station,
Kariyapatti Taluk,
Virudhunagar District.

+1 CC to M/s.P. SURESH KUMAR, Advocate (SR-22146[F] dated
28/04/2022)

+1 CC to M/s.SPL. GP (SR-23069[F] dated 29/04/2022)

W.P.[MD]No.8451 of 2022

28.04.2022

MGJ(16.05.2022) 3P 8C