



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8452 of 2022

F.Ahmad Fatehally

... Petitioner

/Vs./

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai.

3.The Firka Surveyor,
Ayan Pappakudi Village,
Madurai South Taluk,
Madurai District.

4.The Inspector of Police,
Avaniyapuram Police Station,
Avaniyapuram,
Madurai - 20.

5.Mariammal

6.Selvakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to survey the land situated in S.No.370/1 and 371/1 to an extent of 35 cents out of 70 cents of Ayan Pappakudi Village, Madurai South Taluk, Madurai District with the help of 4th respondent on the basis of the petitioner's representation dated 04.04.2022.

For Petitioner

: Mr.M.Sankar

For R1 to R4

: Mrs.S.Jeyapriya

Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to survey the land situated in S.Nos.370/1 and 371/1 to an extent of 35 cents out of 70 cents of Ayan Pappakudi Village, Madurai South Taluk, Madurai District with the help of 4th respondent, on the basis of petitioner's



representation dated 04.04.2022, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 04.04.2022 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.M.Sankar, learned Counsel for the writ petitioner and Mrs.S.Jeyapriya, learned Government Advocate, 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 a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 04.04.2022 for the said purpose.

5.No prejudice would be caused to the second 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 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 property bearing S.Nos.370/1 and 371/1 to an extent of 35 cents out of 70 cents of Ayan Pappakudi Village, Madurai South Taluk, Madurai District, after giving notice to the petitioner, the private respondents 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. If required, the second respondent shall seek assistance of the fourth 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)



To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai South Taluk,
Madurai.
- 3.The Firka Surveyor,
Ayan Pappakudi Village,
Madurai South Taluk,
Madurai District.
- 4.The Inspector of Police,
Avaniyapuram Police Station,
Avaniyapuram,
Madurai - 20.

+1 CC to M/s.SPL. GP (SR-23035[F] dated 29/04/2022)

W.P. [MD]No.8452 of 2022

28.04.2022

MGJ(16.05.2022) 3P 6C