



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8953 of 2022

A.Mariyaraj

.. Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Kalayarkovil Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Kalayarkovil Taluk Office,
Sivagangai District.

3.Venakam Mery

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to survey and measure the property of the petitioner comprised in S.No.86/3B1 measuring 0.17.49 hectares situated at Paruthikanmay Village, Kalayarkovil Taluk, Sivagangai District, as per the application dated 16.08.2021 within a reasonable time as fixed by this Court.

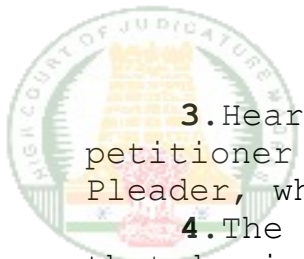
For Petitioner : Mr.V.S.Kumaraguru

For R-1 & R-2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to survey the property comprised in S.No.86/3B1 measuring 0.17.49 hectares situated at Paruthikanmay Village, Kalayarkovil Taluk, Sivagangai District on the basis of petitioner's representation dated 16.08.2021, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 16.08.2021 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.V.S.Kumaraguru, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, 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 16.08.2021 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, the third respondent and any other necessary party, whom the respondents 1 and 2 deem fit to put on notice at the time of survey.

6.Accordingly, this Court directs the respondents 1 and 2 to survey and fix the boundaries in the petitioner's property bearing comprised in S.No.86/3B1 measuring 0.17.49 hectares situated at Paruthikanmay Village, Kalayarkovil Taluk, Sivagangai District, after giving notice to the petitioner, third respondent and any other necessary party, whom the respondents 1 and 2 deem 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 I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

Note:*In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.*

To

1.The Tahsildar,
Taluk Office,
Kalayarkovil Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Kalayarkovil Taluk Office,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-23361[F] dated 04/05/2022)

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29.04.2022