



W.P(MD)No.12214 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12214 of 2022

P.Rajaji

... Petitioner

Vs.

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

2.The Taluk Head Surveyor,
Kalaiyarkovil Taluk Office,
Kalaiyarkovil,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to conduct survey and fix the boundary stones in respect of petitioner's property comprised in S.No.256/4A2C of an extent of 00110 sq ft situated at Paalkulam Village, Kalaiyarkovil Taluk, Sivagangai District by considering the petitioner's representation dated 01.02.2022.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate.



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ORDER

Heard the learned counsel on either side.

2.The petitioner moved the first respondent for conducting survey and fixing the boundary stones in respect of the petition mentioned property. The petitioner has enclosed a copy of the individual patta issued in his favour. Therefore, the petitioner's request for conducting survey cannot be denied.

3.The learned Government Advocate points out that there is a rival claimant by name Kaliasammal and that she has filed W.P.(MD)No.13125 of 2020. The petitioner's counsel points out that the said writ petition is pending before the Hon'ble Division Bench and that it is only for removal of encroachment. Since the petitioner is having a patta in his favour and he only wants the boundary stones to be installed, no exception can be taken to the request. The first respondent is directed to issue notice to the petitioner and other interested parties and complete the exercise of survey and fixing of boundary stones within a period of ten weeks from the date of receipt of a copy of this order.



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4.The writ petition is allowed accordingly. No costs.

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29.06.2022

Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Tahsildar,
Kalaiyarkovil Taluk Office,
Sivagangai District.
- 2.The Taluk Head Surveyor,
Kalaiyarkovil Taluk Office,
Kalaiyarkovil,
Sivagangai District.



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G.R.SWAMINATHAN, J.

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