



W.P.(MD)No.12932 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12932 of 2022

T.Mari Selvam

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Tenkasi,
Tenkasi District.

2.The Surveyor,
Taluk Office,
Tenkasi,
Tenkasi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 & 2 to survey and mark four boundaries of the petitioner's land property with an extent of 9.31 cents situated in Survey No.5/1, Melagaram Village, Tenkasi Taluk, Tenkasi District based on the petitioner's application dated 25.03.2022 and subsequent representation dated 01.04.2022 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.Mathavaselvam

For Respondents : Mr.M.Prakash

Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner wants survey and demarcation to be done in respect of the petition mentioned property. The petitioner's counsel points out that when one Sivanu Konar raised a rival claim against the petitioner's father and others, it ended against him. A copy of the order dated 13.02.2017 whereby S.A.(MD)No.228 of 2006 was dismissed has been enclosed in the typed set of papers.

3. The learned Additional Government Pleader appearing for the respondents on the other hand states that in the revenue records, the property has been classified as sarkar poramboke natham and that the government does not recognize the petitioner's title and therefore, they cannot survey the property in question.



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4. Since a title dispute has arisen between the petitioner on the one hand and the Government on the other, the petitioner has to necessarily establish his claim only before the jurisdictional civil Court. No relief can be granted in this writ petition. Granting liberty to the writ petitioner to move the jurisdictional civil court to establish his right, the Writ Petition is dismissed. No costs.

11.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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