



W.P(MD)No.14196 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14196 of 2022

P.Nagappan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildhar,
Thiruppathur Taluk Office,
Thiruppathur,
Sivagangai District.

3.The District Land Surveyor (AD Surveyor),
O/o.District Land Surveyor Office,
Sivagangai,
Sivagangai District.

4.A.Chinnakannu

... Respondents

*(R4 is impleaded vide order dated 26.07.2022
in W.M.P.(MD)No.11343 of 2022 in
W.P.(MD)No.14196 of 2022 by GRSJ)*

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 2 and 3 to measure and mark the boundaries to petitioner land in survey No.139/24 bearing patta No.2160 to an extent of 12 cents situated at Kambanoor Village,



W.P(MD)No.14196 of 2022

Thiruppathur Taluk, Sivagangai District and issue proper survey report to the petitioner based on the petitioner's representation dated 21.03.2022.

For Petitioner : Mr.P.R.Bomee Rajan

For Respondents : Mr.M.Sarangan,
Addl. Government Advocate R1 to R3.

Mr.P.Aju Tagore for R4

ORDER

Heard the learned counsel on either side.

2.The title in respect of the property is in the name of the writ petitioner. But the fourth respondent appears to be in possession. The fourth respondent claims to have purchased the property under an unregistered sale deed some 30 years ago. Since the fourth respondent has raised serious objections, the petitioner has to necessarily go to the jurisdictional civil Court for obtaining relief. When there are disputes and objections, the surveyor cannot be called upon to conduct survey.



W.P(MD)No.14196 of 2022

WEB COPY

3. Leaving open the rights of the parties, the writ petition is dismissed.

No costs.

26.07.2022

Index : Yes / No
Internet : Yes/ No
ias

To:

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Tahsildhar,
Thiruppathur Taluk Office,
Thiruppathur,
Sivagangai District.
3. The District Land Surveyor (AD Surveyor),
O/o. District Land Surveyor Office,
Sivagangai,
Sivagangai District.



WEB COPY



W.P(MD)No.14196 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.14196 of 2022

26.07.2022
(2/2)