



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.17015 of 2021

and

W.M.P. (MD) .No.15681 of 2021

P.Sathiyavan

... Petitioner

Vs.

1.The Tahsildar,
Melur Taluk Office,
Melur Taluk,
Madurai.

2.The Head Surveyor,
Melur Taluk Office,
Melur Taluk,
Madurai.

... Respondents

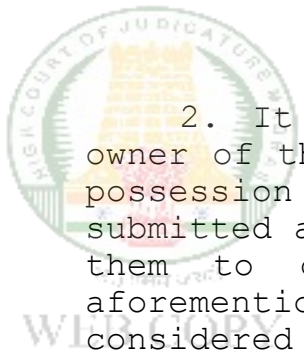
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to direct the second respondent to survey his mother property in Survey No.306/1B2, Block No.14, T.S.No.105, Muniyandikovil Street, Mugamathiyapuram, Sivagangai Road, Melur Town, Madurai District by considering his application dated 19.02.2021, and for other such reliefs within the period stipulated by this Court.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.M.Lingadurai,
Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to direct the second respondent to survey the petitioner's property comprised in Survey No.306/1B2, Block No.14, T.S.No.105, Muniyandikovil Street, Mugamathiyapuram, Sivagangai Road, Melur Town, Madurai District based on the petitioner's application dated 19.02.2021 within a time frame to be fixed by this Court.



2. It is the case of the petitioner that his mother is the owner of the aforementioned property and after her demise, he is in possession and enjoyment of the aforementioned property. He has submitted an application on 19.02.2021 to the respondents requesting them to conduct survey and demarcate the boundaries of the aforementioned property. Since the application has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.S.Atham Ali, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. An impleading application has also been filed by A.Sabar Nisha in W.M.P.(MD).No.15681 of 2021 claiming to be an adjoining owner to the petitioner's property referred to supra.

5. No prejudice will be caused to the respondents or to A.Sabar Nisha, the person who proposes to be impleaded in this Writ Petition, if the survey and demarcation of boundaries for the petitioner's property is done in the presence of the petitioner and A.Sabar Nisha.

6. Accordingly, this Court directs the respondents to conduct survey and demarcate boundaries in respect of the petitioner's property comprised in Survey No.306/1B2, Block No.14, T.S.No.105, Muniyandikovil Street, Mugamathiyapuram, Sivagangai Road, Melur Town, Madurai District in the presence of the petitioner, A.Sabar Nisha and any other necessary party, whom the first respondent thinks as a rival claimant, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Tahsildar,
Melur Taluk Office,
Melur Taluk,
Madurai.

2.The Head Surveyor,
Melur Taluk Office,
Melur Taluk,
Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-12045[F] dated
15/03/2022)

+1 CC to M/s.SPL GP (SR-12192[F] dated 15/03/2022)

**W.P. (MD) .No.17015 of 2021
11.03.2022**

RK(23/03/2022) 3P 5C