



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.18433 of 2021

WEB COPY

C.Gurubaran

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

4.The Head Surveyor,
Radhapuram Taluk,
Tirunelveli District.

5.The Taluk Surveyor,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 26.08.2021 in the light of the order passed by this Court in W.P.[MD]No.13465 of 2020.

For Petitioner

: Mr.B.Vijay Karthikeyan

For Respondents

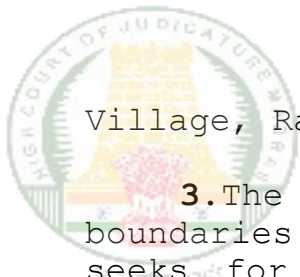
: Mr.M.Lingadurai

Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 26.08.2021, seeking for survey and demarcation of the boundaries in respect of the petitioner's land and for issuance of separate patta in favour of the petitioner, in respect of his property within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the properties measuring 2 acres and 5 cents in S.No.1943/2 and 2 acres and 27 cents in S.No.1863/2 situated at Perungudi (Part II)



Village, Radhapuram Taluk, Tirunelveli District

3.The petitioner seeks for survey and demarcation of the boundaries in respect of the aforementioned properties. He also seeks for a separate patta in his name for the aforementioned properties. He has filed documents along with this writ petition to substantiate his case that he is the owner of the aforementioned property. It is for the respondents to consider the same on merits and in accordance with law. The petitioner has given a representation in this regard on 26.08.2021 to the respondents, calling upon them to conduct survey and demarcation of boundaries and also issue a separate patta in his favour. The said representation has not been considered till date. In such circumstances, the petitioner has filed this writ petition.

4.Heard Mr.B.Vijay Karthikeyan, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

5.No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the other necessary parties, whom the third respondent deems fit to enquire. The petitioner seeks for survey and demarcation of the boundaries. He also seeks for issuance of separate patta in his name.

6.For the foregoing reasons, the third respondent is directed to survey and demarcate the petitioner's properties as stated supra, in the presence of the petitioner and in the presence of any other necessary party, whom the third respondent deems fit to put on notice and demarcate the boundaries thereafter within a period of twelve [12] weeks from the date of receipt of a copy of this order. After survey and demarcation of the boundaries is completed, the third respondent shall consider the petitioner's representation dated 26.08.2021 seeking for issuance of separate patta in his name and pass final orders on merits and in accordance with law within a period of twelve [12] weeks thereafter, after affording a fair hearing to the petitioner and other rival claimants, if any.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

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/ /2022

Sub Assistant Registrar(CS)



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+1 CC to M/s.B. VIJAY KARTHIKEYAN, Advocate (SR-17665[F] dated
11/04/2022)

+1 CC to M/s.SPL.GP (SR-17935[F] dated 11/04/2022)

W.P.[MD]No.18433 of 2021
08.04.2022

SG(CO)
KB(28.04.2022) 3P 8C