



W.P.(MD)No.21501 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.21501 of 2022

K.Karuppusamy

.. Petitioner

Versus

1.The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

2.The Firka Surveyor,
Valandur Firka,
Usilampatti,
Madurai District.

3.The Inspector of Police,
Valandur Police Station,
Madurai District.

4.Thavamani, S/o.Latchumanathevar
[R4 is impleaded vide order dated 30.09.2022,
made in W.M.P.(MD)No.16247 of 2022]

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to survey the petitioner's land to an extent of 31 ½ cents, situated in Survey Nos. 71/6C2A and 71/6C4B, Patta No.4666 at Gandhi Nagar, Chellampatti Post, Usilampatti Taluk, Madurai District and lay boundary stones in his land, based on the petitioner's representation made to the first respondent in person on



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21.06.2022 to the first respondent and thereby, direct the third respondent to provide police protection on the date of survey, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.P.Naveen Kumar
For Respondents 1 and 2 : Mrs.K.Christy Theboral
Additional Government Pleader
For 3rd Respondent : Mr.B.Thanga Aravindh
Government Advocate
(Criminal side)
For 4th Respondent : Mr.G.Rajaraman

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to survey his land, to an extent of 31 ½ cents, situated in Survey Nos.71/6C2A and 71/6C4B, Patta No.4666, at Gandhi Nagar, Chellampatti Post, Usilampatti Taluk, Madurai District and lay the boundary stones in his land, based on the representation made by him to the first respondent in person on 21.06.2022 and thereby, direct the third respondent to provide police protection on the date of survey, within a time frame.

2. Today, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 and 2 submits that when the authorities were attempting to survey the land in question, one Parvathi, W/o.Thavamani, had made an objection, stating that she purchased



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the land in S.No.71/6C, measuring an extent of 16 Cents from one Veerannan through a registered sale deed, bearing Document No.772/1996. Further, the petitioner's mother namely, Irulayee had executed a settlement deed in respect of S.No.71/6C4B in favour of the petitioner. Since there are two documents in respect of the same land, after conducting an enquiry, the respondents 1 and 2 would survey the said land. The learned Additional Government Pleader further submits that the petitioner may be directed to produce the following documents:-

- (1) Copy of 'A' Register before UDR.
- (2) Copy of Chitta before UDR.
- (3) Copy of Adangal before UDR
- (4) Encumbrance Certificate from the year 1960 to 2021
- (5) Sale Deeds.
- (6) Copy of the orders passed by the Court/Revenue Divisional Officer/District Revenue Officer and other relevant documents.

3. Recording the above said submissions made by the learned Additional Government Pleader appearing for the respondents 1 and 2, this Court, without going into the merits of the case, directs the petitioner to produce all the aforesaid documents before the first respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of



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such documents, the first respondent shall consider the petitioner's representation, dated 21.06.2022, and pass appropriate orders on merits and in accordance with law, after conducting an enquiry with all the necessary parties concerned, within a period of six weeks thereafter.

4. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No

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To

1.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

2.The Tahsildar,
Kayathar Taluk,
Tuticorin District.



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V.BHAVANI SUBBAROYAN, J.

smn2

Order made in
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