



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.20394 of 2021

Saravanan

..Petitioner

Vs

1.The District Collector,
Pudukkottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

3.Southamani

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to demarcate the Petitioner's properties in S.Nos.377/2A1 and 377/2B1 of Mangalanadu North Village, Aranthangi Taluk and Pudukkottai District within the time stipulated by this Court by considering the Petitioner's application, dated 22.7.2021.

For Petitioner :Mr.R.Balakrishnan

For Respondents:Mr.D.Sadiq Raja
1 and 2 Addl.Govt.Pleader

For Respondent-3:Mr.K.Baalasundharam

ORDER



of Mandamus directing the second respondent to demarcate the Petitioner's properties in S.Nos.377/2A1 and 377/2B1 of Mangalanadu North Village, Aranthangi Taluk and Pudukkottai District within the time stipulated by this Court by considering the Petitioner's application, dated 22.7.2021.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the Petitioner is that the above mentioned properties measuring a total extent of 81 cents originally belonged to Mirasu Ramaiah and the Petitioner had purchased the above properties by virtue of sale deed, dated 1.7.2021, for valuable consideration. After purchase, the patta as well as the other revenue documents were mutated in the Petitioner's name and he is in absolute possession and enjoyment of the said properties. The Petitioner wanted to fence his properties and therefore, wants to survey and demarcate his properties and in this regard, the Petitioner has submitted a representation on 22.7.2021 for the said purpose and requested the respondents 2 and 3 to do the same, but the same was not done. Thereafter, on 4.8.2021 and 13.8.2021, the Petitioner submitted his representations in this regard to the respondents 1 and 2 respectively, along with connected documents and the same was duly received by them. The steps taken by the Petitioner in this regard all



ended in vain. Whiles, the Petitioner received summons in O.S.No.133 of 2021, on the file of District Munsif, Aranthangi filed by the third respondent for permanent injunction restraining the Petitioner from interfering with her possession as cultivating tenant and for permanent injunction restraining me from demarcating and fencing the property aforementioned. There is no interim orders in the said suit preventing the authorities from measuring and demarcating the Petitioner's properties as sought for in the Writ Petition. Since the same was not done till date, the Petitioner has come forward with this Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the Petitioner's representation will be considered and appropriate orders will be passed within the time limit specified by this Court.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the second respondent to consider the representation, dated 22.7.2021 submitted by the Petitioner for surveying and demarcating the prayer mentioned properties, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.



6. With the above direction, the Writ Petition stands disposed of. No costs.

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22.11.2022

Index : Yes/No

Internet: Yes/No

vsn

To

1. The District Collector,
Pudukkottai District.

2. The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN
W.P(MD)No.20394 of 2021

22.11.2022



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