



W.P(MD)No.22243 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22243 of 2021

C.Natarajan

: Petitioner

Vs

1.The Tahsildar,
Kalikudi Taluk,
Madurai District.

2.The Taluk Head Surveyor,
O/o.Tahsildar,
Kalikudi Taluk,
Madurai District.

3.The Inspector of Police,
Kalikudi Police Station,
Kalikudi Taluk,
Madurai District.

4.R.Murugesan

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to survey the petitioner's Patta land situated in S.No.44/4 to an extent of 25 cents at Sennampatti Village, Kalikudi Taluk, Madurai District and fix the boundary stones by providing adequate police protection within a stipulated time prescribed by this Court.



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For Petitioner : Mr.T.Lajapathi Roy

For R1 to R3 : Mr.D.Sadiq Raja
Additional Government Pleader

For R4 : Mr.J.Barathan

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the second respondent to survey the petitioner's Patta land situated in S.No.44/4 to an extent of 25 cents at Sennampatti Village, Kalikudi Taluk, Madurai District and fix boundary stones, by providing adequate police protection.

2. The case of the petitioner is that he has purchased the property in S.No.44/4 to an extent of 25 cents at Sennampatti Village, Kalikudi Taluk, Madurai District, by registered sale deed. On 10.07.2021, the fourth respondent, who is the son of the petitioner's vendor, tried to encroach upon his land. Hence, he has made a representation before the second respondent to survey the said property and also paid necessary fees. Though the land was surveyed, boundary stones could not be effected as the fourth respondent threatened with dire consequences. Therefore, again on 06.12.2021, the petitioner has made a representation to the respondents seeking to survey the



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said property and fix boundary stones. Since there is no response, the present writ petition has been filed.

3. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.J.Barathan, learned counsel appearing for the fourth respondent.

4. Considering the above facts, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the petitioner's representation dated 06.12.2021, and pass appropriate orders, on merits and in accordance with law, after giving notice to the fourth respondent viz., R.Murugesan, who is the son of the petitioner's vendor, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

21.11.2022

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To

- 1.The Tahsildar,
Kalikudi Taluk,
Madurai District.
- 2.The Taluk Head Surveyor,
O/o.Tahsildar,
Kalikudi Taluk,
Madurai District.
- 3.The Inspector of Police,
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