

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W/.P. (MD) No.23876 of 2022

V.Devaraj

.. Petitioner

Versus

1.The Tahsildar,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur Taluk,
Madurai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to take necessary steps to measure the land and fix the four boundaries bearing in S.F.No.176/A1 to an extent of 0.1.50 hectare, S.F.No.176/1B to an extent of 0.9.00 hectare, S.F.No.176/3 to an extent of 0.6.00 hectare, S.F.No.176/4A to an extent of 0.88.00 hectare, S.F.No.176/4B to an extent of 0.30.00 hectae, S.F.No.176/4C to an extent of 0.0.50 hectare and S.F.No.177/2 to an extent of 0.1.00 hectare situated at Mallapuram Village, Peraiyur Taluk, Madurai District and issue separate patta, based on the petitioner's application dated 22.08.2022 within a stipulated time as fixed by this Court.

For Petitioner	:	Mr.M.Prabu
For Respondents	:	Mr.A.Kannan Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to take necessary steps to measure the land of the petitioner situated at Mallapuram Village, Peraiyur Taluk, Madurai District and fix the four boundaries and issue separate patta, based on the petitioner's application, dated 22.08.2022

2.Heard Mr.M.Prabu, learned counsel for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner submitted that the petitioner along with two others had purchased the lands in S.F.No.176/1A to an extent of 0.1.50 hectare, S.F.No.176/1B to an extent of 0.9.00 hectare, S.F.No.176/3 to an extent of 0.6.00 hectare, S.F.No.176/4A to an extent of 0.88.00 hectare, S.F.No.176/4B to an extent of 0.3.00 hectare, S.F.No.176/4C to an extent of 0.0.50 hectare and S.F.No.177/2 to an extent of 0.1.00 hectare, situated at Mallapuram Village, Peraiyur Taluk, Madurai District vide sale deed in Doc.No.1695/2020 dated 09.09.2020. Joint patta was also issued in the namer

of the petitioner and his co-owners and they were enjoying the property peacefully. Now, some misunderstanding arose between the petitioner and his co-owners. Hence, the petitioner wants to measure the above said land and fix boundaries. He made several representations to the respondents. But no action has been taken by the respondents. Hence, the petitioner has filed the present writ petition.

4.No prejudice would be caused to the respondents, if the representation of the petitioner, dated 22.08.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

5.Accordingly, this Court directs the respondents to survey and fix the boundaries in the petitioner's property in S.F.No.176/1A to an extent of 0.1.50 hectare, S.F.No.176/1B to an extent of 0.9.00 hectare, S.F.No.176/3 to an extent of 0.6.00 hectare, S.F.No.176/4A to an extent of 0.88.00 hectare, S.F.No.176/4B to an extent of 0.3.00 hectare, S.F.No.176/4C to an extent of 0.0.50 hectare and S.F.No.177/2 to an extent of 0.1.00 hectare, situated at Mallapuram Village, Peraiyur Taluk, Madurai District, after giving notice to the petitioner and rival claimants, if any, within a period of eight [8] weeks from the date of receipt of a copy of this order.

V.BHAVANI SUBBAROYAN, J.

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

17.10.2022

Index : Yes/No

Internet : Yes/No

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To

1.The Tahsildar,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur Taluk,
Madurai District.

Order made in
W.P.(MD) No.23876 of 2022

17.10.2022