



WEB COPY



W.P(MD)No.24036

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24036 of 2022

R.Veeraputhiran

... Petitioner

Vs

1.The Tahsildar,
Peraiyur Taluk,
Madurai District.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey, demarcate and determine the boundary of the petitioner's property to an extent of 34 cents situated in Survey No.63/13A2A1 vide joint patta No.854 at Chinnakattalai Village, Peraiyur Taluk, Madurai District within a specified period as fixed by this Court.

For Petitioner

: Mr.S.Balaji

For R1 & R2

: Mrs.K.Christy Theboral

Additional Government Pleader



W.P(MD)No.24036

ORDER

WEB COPY

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to survey, demarcate and determine the boundary of the petitioner's property to an extent of 34 cents situated in Survey No.63/13A2A1 vide joint patta No.854 at Chinnakattalai Village, Peraiyur Taluk, Madurai District within a specified period as fixed by this Court.

2.Heard Mr.S.Balaji, learned counsel appearing for the petitioner and Mrs.K.Christy Theboral, learned Additional Government Pleader appearing for the respondents 1 & 2.

3.The learned counsel for the petitioner would submit that originally on 18.03.2010, the petitioner purchased a wet land measuring to an extent of 34 cents in Survey No.63/13A2A1 vide joint patta No.854 at Chinnakattalai Village, Peraiyur Taluk, Madurai District from one Soundarapandian, S/o.Lakshmana Nadar, through his power agent one Ramachandran, S/o.Mayandi Thevar which was registered at Sub-Registrar Office, Peraiyur, vide document No.395/2010. From the date of purchase, the petitioner is in possession and enjoyment of the property and also paid necessary tax. The boundary stone of the said land was damaged for heavy rain and flood, hence he wants to survey the above said land. Thereafter, on 16.09.2022 the



W.P(MD)No.24036

petitioner has sent a representation to the respondents to survey and demarcate the property and he has also paid the necessary fee. But, the respondents have not considered the request of the petitioner, hence, the petitioner has filed the present writ petition for the above stated relief.

4.The learned Additional Government Pleader appearing for the respondents 1 & 2 would submit that the total extent of land for which the petitioner seeks survey and demarkete is only 0.6.98 ares. Further, patta has been issued in the name of six persons, hence, the relief sought for by the petitioner for survey and demarcate the land cannot be granted. He would further submit that without any partition, they cannot measure it and prayed for dismissal of the writ petition.

5. In view of the submission made by the learned Additional Government Pleader, this writ petition is dismissed. No costs.

Index : Yes/No
am

28.11.2022



WEB COPY

W.P(MD)No.24036



To

- 1.The Tahsildar,
Peraiyur Taluk,
Madurai District.
- 2.The Firka Surveyor,
Peraiyur Taluk,
Madurai District.



WEB COPY



W.P(MD)No.24036

V.BHAVANI SUBBAROYAN, J.

am

W.P(MD)No.24036 of 2022

28.11.2022