



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.10.2022
CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

WEB COPY

Writ Petition (MD) No.24253 of 2022

P.Muniyasamy

.. Petitioner

Versus

1.The Tahsildar,
Ottapidram Taluk,
Thoothukudi District.

2.The Firka Surveyor,
Ottapidaram Taluk,
Thoothukudi District.

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to survey the petitioner's land, measuring an extent of 6 Acres, situated in S.No.173/2 [Villate Patta No.617], at Mullur Muthukumarapuram Village, Ottapidaram Taluk, Thoothukudi District and lay boundary stones based on the petitioner's representation dated 16.09.2022, within a time frame.

For Petitioner : Mr.M.Pandian

For Respondents : Mr.D.Gandhiraj

Special Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing respondents to survey his land, measuring an extent of 6 Acres, situated in S.No.173/2 [Villate Patta No.617], at Mullur Muthukumarapuram Village, Ottapidaram Taluk, Thoothukudi District and lay the boundary stones, based on his representation dated 16.09.2022, within a time frame.

2.Heard Mr.M.Pandian, learned counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, the aforesaid land is his ancestral land and his family members were in continuous possession and enjoyment of the said land, by cultivating crops. The revenue records were changed and Village Patta No.617 was also issued in the name of his father. Now, the petitioner is in possession and enjoyment of the said land by regularly paying the land tax and other taxes. While so, the adjacent land owners have tried to



encroach upon the said land. In such circumstances, in order to fence the said land, the petitioner made an application before the respondents on 26.05.2022 along with necessary fees to survey the land and demarcate the boundaries. However, no action was taken. Hence, the petitioner sent another application, dated 16.09.2022, along with necessary fees and also sent a reminder on 10.10.2022. However, no action has been taken so far. Hence, the petitioner has filed the present Writ Petition for the relief stated supra.

4.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the petitioner's land would be surveyed and demarcated, on the basis of his representation, dated 16.09.2022, within a time frame to be fixed by this Court.

5.Considering the aforesaid submission made by the learned Special Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to survey the properties in question and demarcate the boundaries, based on the representation of the petitioner, dated 16.09.2022, after issuing notice to all the necessary parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (C.O)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

smn2

To

1.The Tahsildar,
Ottapidram Taluk,
Thoothukudi District.

2.The Firka Surveyor,
Ottapidaram Taluk,
Thoothukudi District.

+1 CC to M/s.M.PANDIAN, Advocate (SR-50826[F] dated 20/10/2022)
+1 CC to M/s.SPL.GP (SR-51035[F] dated 26/10/2022)

W.P. (MD) No.24253 of 2022
20.10.2022

AMS (03.11.2022) 2P 5C

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