



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.23138 of 2021

A.Sakthivel

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram District.

3.The Revenue Divisional Officer,
Ramanathapuram District.

4.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

5.The Head Surveyor,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

(R-4 is suo motu impleaded vide Court order dated 03.01.2022 made in W.P(MD).No.23138 of 2021)

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 and demark the four boundaries of the petitioner's properties in Survey Nos.205, 197/3 and 207/1 situated at N.Vettukadu Village, Narippaiyur group Kadaladi Taluk, Ramanathapuram District after serving notice to the petitioner and nearby land owners.

For Petitioner : No appearance

For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader.

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction to the respondents to survey and demarcate the four boundaries of the properties of the petitioner situated in Survey Nos.205, 197/3 and 207/1 at N.Vettukadu Village, Narippaiyur Group, Kadaladi Taluk, Ramanathapuram District.

2. The petitioner is a senior citizen. It is stated that the properties aforementioned were his ancestral properties. It is also claimed that taking advantage of his age and other aspects, there were illegal encroachments attempted over the said properties.



The petitioner gave a complaint to the Superintendent of Police, Ramnad District on 21.09.2016 and also to the Inspector of Police, Sayalgudi on 18.09.2016.

3. My attention is drawn by Mr.S.Shanmugavel, learned Additional Government Pleader who had taken notice on behalf of the respondents that, as early as 09.10.2017, the Tahsildar, Kadaladi Taluk, Ramanathapuram had issued notice for an inquiry and such notice had also been directed to Ayyamperumal, son of Ramasamy Nadar. It is stated that the said individual should have been made a party to the present Writ Petition. But, taking into consideration the fact that the petitioner is a senior citizen, I would rather leave that particular aspect to the wisdom of the Tahsildar to issue notice to the petitioner and also to any other concerned individual also particularly to Ayyamperumal, son of Ramasamy Nadar and thereafter, examine the representation of the petitioner and do the needful.

4. A perusal of the documents filed, shows that the petitioner had made necessary payments on 20.10.2021. Therefore, an obligation is placed on the Tahsildar, Kadaladi Taluk, Ramanathapuram District / the fourth respondent to examine the application of the petitioner and proceed further to make a spot inspection and if the lands are identifiable, do the needful and if not, pass necessary orders as is required on the circumstances. The entire exercise should be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. There is no representation on behalf of the petitioner. Order had been passed based on the available records and on the instructions given by Mr.S.Shanmugavel, learned Additional Government Pleader.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

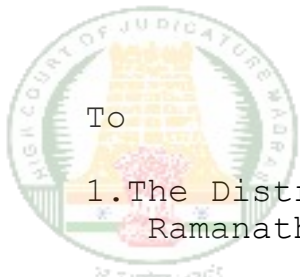
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/ /2022

Sub Assistant Registrar(CS)

Lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram District.

3.The Revenue Divisional Officer,
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Ramanathapuram District.

5.The Head Surveyor,
Kadaladi Taluk,
Ramanathapuram District.

+1 CC to M/s.DEVASENA, Advocate (SR-493[F] dated 05/01/2022)

+1 CC to M/s.SPL.GP (SR-180[F] dated 04/01/2022)

W.P. (MD) .No.23138 of 2021
03.01.2022

KK(CO)

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