



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25307 of 2022

Ganesan

..Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

3.The Taluk Surveyor,
Avudaiyarkovil Taluk,
Pudukkottai District.

4.The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.

5.Arul

..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 2 and 3 to survey the land belonging to the Petitioner in S.f.No.45/3A, situated at Pillivalasai Revenue Village, Avudaiyarkovil Taluk, Pudukkottai District and consequently to direct the fourth respondent to provide adequate police protection at the time of conducting survey by the respondents 2 and 3 on the basis of the representation of the Petitioner, dated 29.09.2022, within the time stipulated by this Court.



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For Petitioner :Mr.S.Sathiya Chidambaram

For Respondents:Mr.D.Gandhiraj
1 to 3 Special Govt.Pleader

For Respondent-4:Mr.B.Thanga Aravindh
Govt.Advocate(Crl.side)

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondents 2 and 3 to survey the land belonging to the Petitioner in S.F.No.45/3A, situated at Pillivalasai Revenue Village, Avudaiyarkovil Taluk, Pudukkottai District and consequently to direct the fourth respondent to provide adequate police protection at the time of conducting survey by the respondents 2 and 3 on the basis of the representation of the Petitioner, dated 29.09.2022, within the time stipulated by this Court.

2.Mr.D.Gandhiraj, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mr.B.Thanga Aravindh, learned Government Advocate(Crl.side) takes notice for the fourth respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the Petitioner had purchased the property as aforementioned from one Marimuthu in Doc.No.58 of 2022, on the file of the Sub-Registrar Office, Mimisal, Pudukkottai District, dated



30.6.2022. Thereafter patta was also issued to him in Patta No.548.

While so, the Petitioner had sold 25 cents to one Kaliammal. Thereafter the Petitioner's land was sub-divided as S.No.45/3A. While so, the fifth respondent, who is the adjacent land owner, tried to encroach some portion of the Petitioner's property and also disputed the boundaries of the land. Therefore, the Petitioner gave a complaint against the fifth respondent before the fourth respondent and during enquiry, the fourth respondent directed both parties to demarcate their respective properties and the same was accepted by both of us. The Petitioner sent a representation to survey the land and also given representation to the Police for protection on 29.9.2022 and also paid the requisite fees of Rs. 800/- on 26.10.2022. The fifth respondent is continuously started giving trouble to the Petitioner. Hence, the Petitioner has come forward with this Writ Petition for the relief stated supra.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the Petitioner's representation dated 29.9.2022 will be considered by the authorities concerned and appropriate orders will be passed, within the time limit specified by this Court.

5. In view of the above submission, this Court, without going into the merits of the matter directs the respondents 2 and 4 to consider the



representation of the Petitioner, dated 29.09.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

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

08.11.2022

Index : Yes/No

Internet: Yes/No

vsn

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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

W.P(MD)No.25307 of 2022

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