



W.P.(MD)No.26749 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26749 of 2022

V.Vijayakmar

.. Petitioner

Vs.

1.The Tahsildar,
Tahsildar Office,
Veerakeralampudhur Taluk,
Tenkasi District.

2.The Head Surveyor,
Tahsildar Office,
Veerakeralampudhur Taluk,
Tenkasi District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to survey the land, fix boundary stones of the petitioner's land in survey No.458/11A, Resurvey No.458/11A3, 11A1 with an extent of 23 cents situated at Keela Veeranam Village, Veerakeralampudhur Taluk, Tenkasi District and issue individual patta on the basis of the representation, dated 21.09.2022 within the stipulated time by this Court.

For Petitioner : Mr.B.Ashok Kumar

For Respondents : Mr.A.Kannan

Additional Government Pleader



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to survey the land and fix boundary stones for the petitioner's land in survey No.458/11A, Resurvey No.458/11A3, 11A1 with an extent of 23 cents situated at Keela Veeranam Village, Veerakeralampudhur Taluk, Tenkasi District and issue individual patta on the basis of the representation, dated 21.09.2022 within the stipulated time by this Court.

2.Heard Mr.B.Ashok Kumar, learned counsel appearing for the petitioner, 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.

3. The grievance of the petitioner is that representation submitted by the petitioner seeking to survey the land of the petitioner, has not been considered.

4. The learned counsel for the petitioner submitted that the petition mentioned property belonged to the petitioner. Since the adjacent land owners tried to alienate the property, the petitioner wanted to survey and fix the boundaries to the petitioner's property. The petitioner made an application to the first respondent in this regard. But no action has been taken on the same.



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Thereafter, the petitioner made a representation dated 21.09.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property, which he claims that it belongs to him. Since the said representation has not been considered till date, this writ petition has been filed.

5. The petitioner has produced documents in support of his case that he is the owner of the aforementioned property. He has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 21.09.2022 for the said purpose.

6.No prejudice would be caused to the respondents, if the representation of the petitioner dated 21.09.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

7.Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the official respondents to survey and fix the boundaries in the petitioner's property, after giving notice to the petitioner and rival claimants, if any, within a period of sixteen [16] weeks from the date of receipt of a copy of this order.



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

28.11.2022

Index : Yes/No
Internet : Yes/No
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To

1. The Tahsildar,
Tahsildar Office,
Veerakeralampudhur Taluk,
Tenkasi District.

2. The Head Surveyor,
Tahsildar Office,
Veerakeralampudhur Taluk,
Tenkasi District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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28.11.2022