



WP(MD)N.26656 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26656 of 2022

Parthiban

... Petitioner

Vs

1.The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.

2.The Head Surveyor,
Oddanchathiram Taluk,
Dindigul District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to conclude the survey and to demarcate the boundaries of the petitioner's land comprised in S.No.23/1 of Reddiyapatti Village, Oddanchathiram Taluk, Dindigul District by considering the petitioner's representation dated 26.10.2022.

For Petitioner :Mr.P.Senthilkumar

For Respondents: Mr.D.Gandhiraj

Special Government Pleader

ORDER

This petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, to direct the respondents to conclude the survey and to



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demarcate the boundaries of the petitioner's land comprised in S.No.23/1 of Reddiyapatti Village, Oddanchathiram Taluk, Dindigul District by considering the petitioner's representation dated 26.10.2022.

2.By consent of both sides, this petition is taken up for final hearing at the admission stage itself.

3.It is the case of the petitioner that he purchased the land (Nanja land) from one Kumar to an extent of 60 cents in Re.Survey No.23/1 situated at Reddiyapatti Village vide document No.977/2008 registered on the file of Chathirappati Registrar Office dated 30.06.2008. The adjacent land owner, the petitioner's brother, making trouble with an intention to encroach the petitioner's property. Hence, the petitioner lodged a complaint before the police, who advised the parties to solve the issue by demarcating the land through the appropriate authorities. Thereafter, the petitioner approached the first respondent along with representation dated 25.10.2022 to survey his land so as to enable him to fence his property. But, the same did not evoke any response. Hence, the petitioner is before this Court with the aforesaid prayer.



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4.The learned Special Government Pleader appearing for the respondent submits that the representation of the petitioner would be considered in accordance with law.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into merits of the case, directs the respondents to consider the representation of the petitioner, dated 26.10.2022, after issuing notice to the petitioner as well as any other interested parties, who may be interested in the subject property and conduct survey in their presence, on payment of necessary charges and demarcate the petitioner's land in accordance with law and communicate the decision taken to the petitioner and others concerned. Such an exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

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Index : Yes/No
Internet: Yes/No
Rmk



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V.BHAVANI SUBBAROYAN,J.,

Rmk

To

- 1.The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.
- 2.The Head Surveyor,
Oddanchathiram Taluk,
Dindigul District.

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