



W.P.(MD)No.26896 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26896 of 2022

S.Anthuvan

... Petitioner

Vs.

The Tahsildar,
Taluk Office,
Thiruverumbur Taluk,
Trichy District.

... Respondent

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent herein to make survey on properties situated at Trichy District, Thiruverumbur Taluk, Solamadevi Vilalge, New S.F.No.385 (Od S.F.No.320B) and New S.F.No.386 (Old S.F.No.320B) in the light of the petitioner's representation dated 06.08.2022 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sakthivel

For Respondent : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondent to survey the properties situated at Trichy District,



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Thiruverumbur Taluk, Solamadevi Vilalge, New S.F.No.385 (Old S.F.No. 320B) and New S.F.No.386 (Old S.F.No.320B) in the light of the petitioner's representation, dated 06.08.2022 within a stipulated period as may be fixed by this Court.

2. Heard Mr.R.Sakthivel, learned counsel appearing for the petitioner, Mrs.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal.

3. The grievance of the petitioner is that the application submitted by the petitioner seeking to survey and demarcate the property of the petitioner, has not been considered.

4. The learned counsel for the petitioner submitted that the petition mentioned property is the ancestral property of the petitioner. The petitioner wanted to survey and fix boundaries to the petitioner's property. The petitioner made an application on 28.07.2022 in this regard and also paid necessary fee. But no action has been taken on the same. Thereafter, the petitioner made a representation dated 06.08.2022 seeking survey and demarcation of boundaries in respect of the aforementioned property, which he



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claims that it belongs to him. Since the said application 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 survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation dated 06.08.2022 for the said purpose.

6.The learned Additional Government Pleader appearing for the respondents would submit that there is a re-settlement register, in which the name of the petitioner has not been found neither in the individual patta nor in the joint patta and hence, the petitioner request to survey the land was not considered.

7.However, no prejudice would be caused to the respondents, if the representation of the petitioner dated 06.08.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

8.Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the official respondents to consider the representation of



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the petitioner, dated 06.08.2022 and pass orders on merits and in accordance with law within a period of sixteen [16] weeks from the date of receipt of a copy of this order.

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

29.11.2022

Index : Yes/No
Internet : Yes/No
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To

The Tahsildar,
Taluk Office,
Thiruverumbur Taluk,
Trichy District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.26896 of 2022

29.11.2022