



W.P.(MD)No.26913 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26913 of 2022

R.Jeyaraj

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi Tahsildar Office,
Karaikudi Taluk,
Sivagangai.

3.The Land Surveyor,
Karaikudi Taluk,
Sivagangai 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 consider the representation of the petitioner dated 28.07.2022 within a period of time stipulated by this Court and direct the respondents to demarcate the property of the petitioner and fix the boundaries in Survey No.451/1 with survey sub division 451/1A situated in Unjanai Village, Devakottai sub division, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.K.Muthu Ganesa Pandian
For Respondents : Mr.C.Satheesh
Government Advocate



W.P.(MD)No.26913 of 2022

WEB COPY

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 28.07.2022 within the time to be stipulated by this Court and to demarcate the property of the petitioner and fix the boundaries in Survey No.451/1 with survey sub division 451/1A situated in Unjanai Village, Devakottai sub division, Karaikudi Taluk, Sivagangai District.

2.Heard Mr.K.Muthu Ganesa Pandian, learned counsel appearing for the petitioner, Mr.C.Satheesh, learned Government Advocate, 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. The petitioner has two children. In order to settle the property among themselves, the petitioner wanted to survey and fix boundaries to the petitioner's property. The



W.P.(MD)No.26913 of 2022

petitioner made an application before the third respondent in this regard and also paid necessary fee. But no action has been taken on the same. Thereafter, the petitioner made a representation dated 28.07.2022 seeking 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 28.07.2022 for the said purpose.

6.No prejudice would be caused to the respondents, if the representation of the petitioner dated 28.07.2022 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.



W.P.(MD)No.26913 of 2022

WEB COPY

8. 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

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W.P.(MD)No.26913 of 2022

V.BHAVANI SUBBAROYAN, J.

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Order made in
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