



W.P.(MD)No.26907 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.26907 of 2022

Sudha

.. Petitioner

Vs.

1.The District Collector,
Collector Office, Sivagangai District.

2.The Special Tahsildar,
Ground rent Survey,
Department Land Survey,
Manamadurai Taluk,
Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

4.The Firga Surveyor,
Department of Land Survey,
Manamadurai Taluk Office,
Manamadurai-630 606.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 2 to 4 to carry out the appropriate survey and demarcate the boundaries of the petitioner's own land in G.R.No.332/555 (Old G.R.No.332/21PT), to the extent of 0.2.85 (2262) square Meter, which is situated in 1st ward (New ward No.18), Manamadurai Town, Manamadurai Taluk, Sivagangai Taluk and consequently produce the same survey report to the petitioner as per law based on the petitioner's survey payment Challan Application Vide:20221104007006, dated 04.11.2022 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.R.Senthilkumar
For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to survey and demarcate the boundaries of the petitioner's own land in G.R.No.332/555 (Old G.R.No.332/21PT), to the extent of 0.2.85 (2262) square Meter, which is situated in 1st ward (New ward No.18), Manamadurai Town, Manamadurai Taluk, Sivagangai Taluk and consequently produce the survey report to the petitioner as per law based on the petitioner's Application Vide:20221104007006, dated 04.11.2022 within a stipulated time that may be fixed by this Court.

2.Heard Mr.R.Senthilkumar, learned counsel appearing for the petitioner, Mrs.K.Christy Theboral, 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 the application submitted by the petitioner seeking to survey and demarcate the property of the petitioner, has not been considered.



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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 04.11.2022 in this regard and also paid necessary fee. But no action has been taken on the same. Thereafter, the petitioner made an another application seeking survey and demarcation of boundaries in respect of the aforementioned property, which she claims that it belongs to her. 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 her case that she is the owner of the aforementioned property. She has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given an application on 04.11.2022 for the said purpose.

6.No prejudice would be caused to the respondents, if the application of the petitioner dated 04.11.2022 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



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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.

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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V.BHAVANI SUBBAROYAN, J.

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