



W.P.(MD) No.233 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.233 of 2023

R.Angalaeswari

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Thiruchuli Taluk,
Virudhunagar District.

3.The Tahsildhar,
Thiruchuli Taluk,
Virudhunagar District.

4.The Assistant Director of Survey
and land records,
Virudhunagar District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd and 4th respondents to survey and mark the boundaries of Natham Pormpokku in Survey Nos. 494/26, 492/11, 493/1, 493/34 in Vellanoorani Panchayat, Narikudi Union, Ammanpatti, Perumaldevanpatti Post, Thiruchulli Taluk, Virudhunagar District and consequently direct the 1st and 2nd respondent to remove the illegal encroachment made in the public path way in the above said survey Nos. 494/26, 492/11, 493/1, 493/34 in Vellanoorani Panchayat, Narikudi Union, Ammanpatti, Perumaldevanpatti Post, Thiruchulli Taluk, Virudhunagar District.

For Petitioner : Mr.N.Ganesh
For Respondents : Mr.K.Balasubramani,
Special Govt. Pleader.

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 3rd and 4th respondents to survey and mark the boundaries of Natham Pormpokku in Survey Nos. 494/26, 492/11, 493/1, 493/34 in Vellanoorani Panchayat, Narikudi Union, Ammanpatti, Perumaldevanpatti Post,



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Thiruchulli Taluk, Virudhunagar District and consequently direct the 1st and 2nd respondent to remove the illegal encroachment made in the public path way in the above said survey Nos. 494/26, 492/11, 493/1, 493/34 in Vellanoorani Panchayat, Narikudi Union, Ammanpatti, Perumaldevanpatti Post, Thiruchulli Taluk, Virudhunagar District.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the petitioner submitted that the petitioner made a representation on 21.12.2022, to the third respondent, seeking to conduct survey and mark the boundaries of the lands in S.Nos.494/26, 492/11, 493/1, 493/34 and also to remove the illegal encroachments made on the aforesaid survey numbers. However, the respondents have not considered the said representation till date. Hence, the petitioner has filed this Writ Petition.



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4. The learned Special Government Pleader appearing for the respondents, on instructions submitted that the respondents are agreed to nominate a Taluk Surveyor to conduct the survey and measure the aforementioned survey numbers, based on the representation of the petitioner dated 21.12.2022.

5. Recording the aforesaid submission, we direct the third respondent Tahsildar, to consider the representation of the petitioner dated 21.12.2022 and conduct survey and mark the boundaries in the aforesaid survey numbers. If there is any encroachment in the aforesaid survey numbers, the third respondent is also directed to remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. The aforesaid exercises, shall be completed as expeditiously as possible, preferably within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.



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[D.K.K., J.] [R.V., J.]

05.01.2023

NCC : Yes / No

Index : Yes / No

vsm

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