



W.P.(MD)No.4974 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.4974 of 2023

E.Ponniah

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Collectorate Campus, Tirunelveli.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

3.The Surveyor,
Perunkudi Part-2 Village,
Radhapuram Taluk,
Tirunelveli District.

4.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

5.Santhosam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to demarcate and fix four boundaries of the petitioner's land which situated



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in Tirunelveli District, Rathapuram Taluk, Panakudi Sub Registration Office, Perungudi Part 2 Village, Ayan Punjai Survey No.2195/3G to an extent of 42 cents and Survey No.2196/1C to an extent of 52 cents as per the schedule in sale deed, dated 16.03.1994, registered as document No. 454 of 1994 and to consider the petitioner's representations, dated 30.01.2023.

For Petitioner	:Mr.R.M.Suresh
For R1 to R3	:Mr.J.Ashok Additional Government Pleader
For R4	:Mr.R.M.Sethu Raman Additional Public Prosecutor

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction against the third respondent to demarcate and fix four boundaries of the petitioner's land, which is situated in Tirunelveli District, Rathapuram Taluk, Panakudi Sub Registration Office, Perungudi Part 2 Village, Ayan Punjai Survey No.2195/3G to an extent of 42 cents and Survey No.2196/1C to an extent of 52 cents.

2.Heard Mr.R.M.Suresh, learned Counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader, who takes notice



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on behalf of R1 to R3 and Mr.R.M.Sethu Raman, learned Additional Public Prosecutor, who takes notice on behalf of the fourth respondent.

3.The fifth respondent is the private respondent and owing to his obstruction, the petitioner has applied for determining the boundaries of his land.

4.A direction is issued to the second respondent/the Tahsildar, Radhapuram Taluk, to take the application of the petitioner and issue notice to the petitioner and also to the fifth respondent and thereafter, examine the documents of the petitioner and also the documents of the fifth respondent and thereafter, measure the property of the petitioner and also the property of the fifth respondent and thereafter, fix boundary stones. Care may taken by the Tahsildar not to decide title and if the issue of title has to be decided, then the proper authority would only be the Civil Court. The revenue authorities can only examine the property with respect to the document presented by the petitioner. The fourth respondent/Inspector of Police, Panagudi, has also been impleaded. But since it is a civil dispute, let the Inspector of Police not interfere with the



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dispute and let him stay away, as otherwise unnecessary allegations would put against the fourth respondent.

5.Recording as above, this Writ Petition stands disposed of. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

08.03.2023

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C.V.KARTHIKEYAN, J.

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Order made in
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