



W.P.(MD).No.6660 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN

W.P.(MD).No.6660 of 2023

Sheik Abdul Kather

... Petitioner

Vs.

**1.The District Collector,
Thoothukudi,
Thoothukudi District.**

**2.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.**

3.Muhamed Maideen

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to survey, measure and demarcate the boundaries of the petitioner's land, bearing Old Survey No.140/2 and New Survey No.207/41, situating in Aarampannai Village, Srivaikundam Taluk, Thoothukudi District by considering the petitioner's representation dated 08.03.2023 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.P.Suresh Kumar

For Respondents : Mr.N.Muthu Vijayan
Special Government Pleader
for R1 and R2

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction to the second respondent/ Tahsildar, Srivaikundam Taluk, to survey and measure the land of the petitioner bearing Old survey No.140/2, new survey No.207/41 in R.M.Pannai Village, Srivaikundam Taluk, Thoothukudi District.

2. The petitioner had given a representation on 08.03.2023. The petitioner has also impleaded as third respondent, a private individual who is the adjacent land owner. Notice was directed to the third respondent and the Court records reveals that he has refused to receive the notice. In view of that particular fact, the Court cannot hold over the matter for appearance of the third respondent. In the affidavit filed in support of the writ petition, it had been stated that the aforementioned property has been under the peaceful possession and enjoyment of the



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petitioner herein. The third respondent had however, interfered with such possession. In order to identify the property, it is stated that the petitioner had sent a representation to survey and demarcate the property.

3. A direction is given to the second respondent to examine the representation given by the petitioner herein and survey and demarcate the property. The second respondent may issue notice to the third respondent before undertaking such survey and in the presence of the petitioner and the third respondent, proceed to survey the land. If objections are raised, then reasons for not surveying the land must be given to the petitioner herein. The entire exercise may be completed within a period of eight weeks from the date of receipt of a copy of this order.

4. This writ petition stands disposed of. No costs.

08.06.2023

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

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To

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Thoothukudi,
Thoothukudi District.
- 2.The Tahsildar,
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C.V. KARTHIKEYAN, J.

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