



W.P(MD)No.7377 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.7377 of 2023

and

W.M.P(MD)No.7840 of 2023

R.Raji @ Rajeswari

... Petitioner

Vs.

**1.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.**

**2.The Head Surveyor,
Tenkasi Taluk,
Tenkasi District.**

3.Thangamani

4.Vasugi

5.Mariselvam

6.Manikumar

**(R3 to R6 impleaded vide Court order
dated 13.04.2023)**

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner application dated 20.03.2023 and to Survey and fix the boundaries of petitioners property in Patta No. 5804 and 4630 , S.No. 345/7 an extent of 0.08.0 hectare 345/4A an extent of 0.02.5 hectare, situated at Aavudaiyanoor, Tenkasi Taluk, Tenkasi District within the time stipulated by this Court.

For Petitioner : Mr.S.Ponsaravanan

For R1 and R2 : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction to the respondents, Tahsildar and Head Surveyor of the said Taluk office, Tenksi District, to survey and fix the boundaries of the property of the petitioner in patta No.5804 and 4630 in Survey No.345/7, measuring 0.08.0 hectares and in Survey No.345/4A measuring 0.02.5 hectares at Aavudaiyanoor Village, Tenkasi Taluk, Tenkasi District.



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2. In the affidavit filed in support of the writ petition, it had been stated that the property in Survey No.345/7, measuring 0.08.0 hectares and in Survey No.345/4A measuring 0.02.5 hectares at Aavudaiyanoor Village, Tenkasi Taluk, Tenkasi District, originally belongs to the petitioner who had got it from her husband S.P.Rajendran. The petitioner stated that the respondents who are now sought to be impleaded in W.M.P.(MD)No.7840 of 2023, had broken the stone pillars and fencing pelted in the land. The petitioner had therefore, given a representation for survey of her land. In this connection, she had also paid the necessary charges on 21.03.2023. The Court had directed the petitioner to file necessary application to implead the neighbours of the petitioner and accordingly W.M.P.(MD)No.7840 of 2023 has been filed to implead Thangamani and his family members as further respondents in the writ petition. The Writ Miscellaneous Petition is allowed. Registry is directed to implead the said proposed parties as further respondents in th writ petition before issuing the order copy.

3. A direction is given to the Tahsildar/ first respondent to issue notice to the petitioner and also to the newly impleaded respondents and examine the possibility of conducting survey. If there are objections from the proposed



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respondents, then a report may be filed and reasons may be given as to why survey is not conducted. If there are no objections, then survey may be conducted. The entire exercise may be completed within a period of six weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of. No costs.

13.04.2023

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

Note: Registry is directed to carry out necessary amendments in the cause title.

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To

1.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

2.The Head Surveyor,
Tenkasi Taluk,
Tenkasi District.



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C.V.KARTHIKEYAN, J.

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and
W.M.P(MD)No.7840 of 2023**

13.04.2023