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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2023

CORAM

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

W.P.(MD)No.7744 of 2023

Mottaiyan Asari

... Petitioner

vs.

1.The Tahsildar,
Taluk Office, Peraiyur Taluk,
Madurai District.

2.The FIRKA Surveyor,
Taluk Office,
Peraiyur Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to survey and demarcate the land comprised in S.No.10/2 New S.No.257/43 to an extent of 2 ½ cents situated at Sillarpatti Revenue Village, Peraiyur Taluk, Madurai District based on the petitioner's application, dated 11.10.2022 within the time frame that may stipulated by this Court.



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For Petitioner :Mr.R.Murugan
For Respondents :Mr.N.Muthu Vijyan
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the first respondent to survey and demarcate the lands in S.No.10/2, New S.No.257/43 measuring 2 ½ cents at Sillarpatti Revenue Village, Peraiyur Taluk, Madurai District. The petitioner had given an application on 11.10.2022.

2.Heard Mr.R.Murugan, learned Counsel for the petitioner and Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondents.

3.The aforementioned land had been assigned to the father of the petitioner, Ayyan Asari in the year 1976, which is a Government natham land. It is an assignment patta granted to the father. The petitioner now claims rights over the land.



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4.The first respondent/Tahsildar may examine the records and examine whether there are any objections and then survey the land. It is also stated by the petitioner that the four boundaries could not be located and that adjacent land owners are trying to encroach into the land. It is therefore, necessary that the Tahsildar issues notice not only to the petitioner, but also to the adjacent land owners. The Tahsildar may also examine the revenue records to find out whether after 1976, after the death of the father of the petitioner, the lands had been assigned to anybody else or has been demarcated for any other public. Let all the records be examined and then a decision may be taken to survey the lands, as stated by 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.

5.The Writ Petition stands disposed of. No order as to costs.

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

08.06.2023

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.7744 of 2023

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