



W.P(MD)No.8581 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8581 of 2023

Nagarajan

... Petitioner

Vs.

1.The Thasildhar
Thasildhar Office,
Pudukkottai Town,
Pudukkottai District.

2.The Taluk Surveyor
Thasildhar Office,
Pudukkottai Town,
Pudukkottai District.

3.The Firka Surveyor
Pudukkottai,
Pudukkottai District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents, to



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measure, demarcate and fix the boundary stone in the petitioner's property situated at Survey No.353/4, Mullur Village, Pudukottai District, based on the petitioner's representation dated 29.03.2023.

For Petitioner : Mr.S.Poornachandran

For Respondent : Mr.N.Muthu Vijayan,
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondents, to measure, demarcate and fix the boundary stones with respect to property in Survey No.353/4, Mullur Village, Pudukottai District. The petitioner had given a representation on 29.03.2023.

2. The Writ Petition came up for consideration on 17.04.2023 and this Court had stated that if there are any objectors for fencing of the land of the petitioner, then they may be impleaded.



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3. The learned counsel for the petitioner, today however, stated that those who object have no right or interest over the aforementioned property. They are neighbours, who are trying to grab over the property. In order to protect the property, the petitioner had given a representation to survey the lands of the petitioner herein.

4. It is also stated by the learned counsel for the petitioner that the father of the petitioner, Govindaraj, had been issued with patta in Patta No.4818 by the Revenue Authorities. It is, therefore, stated that the neighbours are only creating trouble and they are not necessary parties to the Writ Petition.

5. The learned Special Government Pleader also pointed out that the neighbours who are interfering have raised objections for surveying of the property. However since the patta stands in the name of the petitioner herein, It would only be appropriate that the petitioner's possession is protected by this Court and to a little extent survey of the lands is permitted



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6. A direction is given to the respondents to proceed to survey the aforementioned lands and if required, issue notice to the neighbours. But however, if the petitioner is able to establish his interest and title and possession of the lands, then the same may be surveyed in manner known to law. The entire exercise must be completed within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ petition stands disposed of. No costs.

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

RM



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C.V.KARTHIKEYAN, J.

RM

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