



W.P.(MD)No.22435 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.22435 of 2021

Thiruthuvadass

... Petitioner

vs.

1.The District Collector,
Trichy, Trichy District.

2.The Commissionerate of Survey
and Settlement Department,
Trichy District.

3.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Trichy District.

4.The Tahsildar,
Manapparai Taluk, Trichy District.

5.Sebastian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing to 2 to 4 respondents to survey the land property in S.No.872/2D measuring an extent of 2 acres 16 cents situated at Mohavanur South, Vaiyampatti Village, Manapparai Taluk, Trichy District and demarcate the same by laying



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Survey Stones by considering and passing appropriate orders on the petitioner's representation dated 02.09.2021 within a time as fixed by this Court.

For Petitioner :Mr.B.Arun
For R1 to R4 :Mr.B.Saravanan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the fourth respondent to survey the subject property situated at S.No.872/2D measuring an extent of 2 acres 16 cents and to lay boundary stones by considering the representation made by the petitioner on 02.09.2021.

2.Heard Mr.N.R.Balaji, learned Counsel appearing on behalf of the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing on behalf of the respondents 1 to 4.

3.The case of the petitioner is that the subject property absolutely belongs to him by virtue of a registered partition deed dated 28.12.2018. The further case of the petitioner is that patta has also been granted in



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favour of the petitioner. There were some disputes with the adjacent land owner, who is the fifth respondent in the Writ Petition and in order to resolve the same, the petitioner wanted the property to be surveyed and the boundary stones to be laid. Accordingly, the petitioner made a representation on 02.09.2021 and has also paid the necessary charges for conducting the survey. Since the same was not acted upon, the present Writ Petition has been filed before this Court.

4. Taking into consideration the facts and circumstance of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the fourth respondent to act upon the representation made by the petitioner on 02.09.2021 and conduct an enquiry by calling upon the petitioner and the fifth respondent. If, ultimately, the petitioner and the fifth respondent are claiming their rights by virtue of any title deeds, which describes the four boundaries to the property, the same can be taken into consideration by the fourth respondent and the survey can be conducted and thereby, the property of the petitioner and the property of the fifth respondent can be easily delineated. This process shall be completed within a period of six weeks from the date of receipt of a copy



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of this order.

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5.This Writ Petition is disposed of with the above directions. No

costs.

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

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cmr



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N.ANAND VENKATESH, J.

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