



WEB COPY

W.P(MD)No.992



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.992 of 2024

R.Tamilarasi

..Petitioner

Vs

The Tahsildar,
Thiruppuvanam Taluk Office,
Sivagangai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to survey the petitioner's land in survey number 168/4, Thatankulam Village, Kalukerkadai Post, Thiruppuvanam Taluk, Sivagangai District based on the petitioner's application dated 20.06.2023 within the time that may be stipulated by this Court.

For Petitioner :Mr.K.Maheshraja

For Respondent :Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondent to survey the petitioner's land in survey number 168/4, Thatankulam



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Village, Kalukerkadai Post, Thiruppuvanam Taluk, Sivagangai District based on the petitioner's application dated 20.06.2023 within the time that may be stipulated by this Court.

2. By consent, this writ petition is disposed of at the admission itself.

3. Heard Mr.K.Maheshraja, learned counsel appearing for the petitioner and Mrs.K.Christy Theboral, learned Additional Government Pleader appearing for the respondent.

4. According to the petitioner, the land in survey No.168/4, Thatankulam Village, Kalukerkadai Post, Thiruppuvanam Taluk, Sivagangai District originally belongs to Sethuramababu, S/o.Jeganathaiyer. The petitioner had purchased the said land through a registered sale deed from Sethuramababu on 04.03.2020. The petitioner peacefully enjoying the property without any disturbance. On Mari S/o.Arumugam disturbing the petitioner's peaceful possession and enjoyment of the property without any documents. Thereafter, the petitioner filed a civil suit in O.S.No.44/2020 before the District Munsif-cu-Judicial Magistrate, Thiruppuvanam seeking permanent injunction against the said Mari. The said suit was decreed in favour of the petitioner. After she obtained a decree, the petitioner has made a representation to the respondent for survey of his property on 20.06.2023 and



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remitted the prescribed fees. Since the respondent did not take any action to survey the petitioner's property, the petitioner has approached this Court by way of filing the present writ petition for the above said relief.

5.The learned Additional Government Pleader appearing for the respondent submitted that appropriate direction may be given to the respondent to survey the petitioner's property, in accordance with law, within a time frame.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondent to consider the petitioner's request and after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence and demarcate the land in survey number 168/4, Thatankulam Village, Kalukerkadaai Post, Thiruppuvanam Taluk, Sivagangai District and pass orders in accordance with law and communicate the decision taken by the respondent to the petitioner and others concerned. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. If necessary, the respondent can seek for police protection for surveying the land and the petitioner shall pay the necessary charges for police protection.



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7.This Writ Petition stands disposed of with the above directions. No costs.

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Index : Yes/No

Internet: Yes/No

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To

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Thiruppuvanam Taluk Office,
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V.BHAVANI SUBBAROYAN,J.

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