



W.P.(MD) No.18982 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.18982 of 2024

Kulandaisaamy

.. Petitioner

Vs.

- 1.The Thasildhar,
Gandarvakottai Taluk,
Thasildhar Office,
Pudukottai District.
- 2.The Taluk Head Surveyor,
Gandarvakottai Taluk,
Thasildar Office,
Pudukottai District.
- 3.The Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to survey, demark and fix the boundary stone in the petitioner's property situated at Survey Nos.156/5A, 158/5A, 158/6, 156/5B and 160/1B situated at Sangam Viduthi Village, Kandarakottai



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Taluk, Pudukkottai District based on the petitioner's representation dated 26.02.2024 with necessary protection of the third respondent.

For Petitioner : Mr.S.Poornachandran
For R1 & R2 : Mr.P.Thambidurai
Government Advocate
For R3 : Mr.K.Sanjai Gandhi

ORDER

The petitioner seeks the issue of mandamus to the second respondent to survey, demarcate and fix the boundary stone in the petitioner's property situate at Survey Nos.156/5A, 158/5A, 158/6, 156/5B and 160/1B of Sangam Viduthi Village, Kandarakottai Taluk, Pudukkottai District on the basis of the petitioner's representation dated 26.02.2024 with necessary police protection.

2. It is the petitioner's case that the adjacent land owners are attempting to grab his property, which are both ancestral and purchased by him. The Patta Nos.252 and 1472 stood in the name of the petitioner and he has been in exclusive possession and enjoyment of the lands included in the above patta.



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3. Earlier a survey was done and boundary stones had been fixed to demarcate the lands. However, the adjacent land owners with an intent of grabbing the property, removed the boundary stones. Therefore, with a view to fence the property to protect the same, the petitioner has made a fresh application on 26.02.2024 to the second respondent by submitting necessary charges. However, steps have not been taken. The representation was made on 26.02.2024, which was also not considered. Therefore, the present writ petition.

4. Heard the learned counsel on either side.

5. Considering the request of the petitioner, a mandamus is issued to Respondents 1 and 2 to conduct survey and subdivide the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing



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the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. No costs.

07.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

- 1.The Thasildhar,
Gandarvakottai Taluk,
Thasildhar Office,
Pudukottai District.
- 2.The Taluk Head Surveyor,
Gandarvakottai Taluk,
Thasildar Office,
Pudukottai District.
- 3.The Inspector of Police,
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P.T.ASHA, J.

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