



W.P.(MD) No.19692 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.19692 of 2024

A.Nousathali

.. Petitioner

Vs.

1.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

2.The Taluk Head Surveyor,
Aruppukottai Taluk,
Virudhunagar District.

3.The Village Administrative Officer,
Poolangal Village,
Aruppukottai Taluk,
Virudhunagar District.

4.Samsukani

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents No.1 and 2 to survey and demarcate the petitioner's land measuring an extent of 2.43 Ares, comprised in Survey No. 167/4A1, situated in Poolangal village, Thiruchuli Taluk, Virudhunagar district on the basis of



W.P.(MD) No.19692 of 2024

the petitioner's application, dated 02.07.2024 within the period of stipulated time may given by this Court.

For Petitioner : Mr.B.Muneeswaran

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to direct the 1st and 2nd respondents to conduct survey and mark the boundaries of the property comprised in Survey No.167/4A1 measuring an extent of 2.43 Ares situated in Poolangal village, Thiruchuli Taluk, Virudhunagar district by considering the petitioner's representation, dated 02.07.2024.

2. The case of the petitioner is that originally the petitioner has filed a suit in O.S.No.243 of 2006 as against the father of the 4th respondent herein and 3 others in respect of the lands comprised in Survey No.167/4 situated in Poolangal Village. During the pendency of the suit, the issue has been resolved before the Lok Adalat and an award also passed by the Taluk Legal Services Committee, Aruppukottai on



W.P.(MD) No.19692 of 2024

21.12.2017. Pursuant to which, 6 cents in the northern portion was allotted to the petitioner. Ever since, the petitioner is in absolute possession and enjoyment of the petition mentioned property. Now, the petitioner wants to fence his land. Therefore, he has submitted as application before the 1st respondent on 02.07.2024 for surveying the property and he has also paid the necessary fee. Despite the same has been received by the official respondents, no action has been taken. Hence, the petitioner has approached this Court.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as in July, 2024, a Mandamus is issued to the respondents 1 to 3 to conduct survey and mark the boundaries in the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents 1 to 3 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter proceed to



W.P.(MD) No.19692 of 2024

pass orders either surveying and demarcating 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 eight (8) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs.

19.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

gbg

To

1.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

2.The Taluk Head Surveyor,
Aruppukottai Taluk,
Virudhunagar District.

3.The Village Administrative Officer,
Poolangal Village,
Aruppukottai Taluk,
Virudhunagar District.



WEB COPY



W.P.(MD) No.19692 of 2024

P.T.ASHA, J.

gbg

W.P.(MD) No.19692 of 2024

19.08.2024