



W.P.(MD) No.25696 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25696 of 2024

Ramkumar

.. Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Tahsildar,
Sathankulam Taluk Office,
Thoothukudi District.

3.Thiraviyam

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 2nd respondent to survey and demarcate the Arulmigu Annai Mutharamman Temple's pathway situated in Survey Nos.646/1B1 and 646/1C1 of Pallakurichi Village, Sathankulam Taluk, Thoothukudi District to an extent of 1.65 cents, by considering the petitioner's application dated 02.08.2024 within stipulated time that may be fixed by this Court.



W.P.(MD) No.25696 of 2024

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For Petitioner : Mr.S.Vishnuvardhan
For R1 & R2 : Mr.D.S.Nedunchezian
Government Advocate
For R3 : Mr.K.P.Narayanakumar

ORDER

This writ petition has been filed for a mandamus to survey and demarcate the pathway leading to Arulmigu Annai Mutharamman Temple situate in Survey Nos.646/1B1 and 646/1C1 of Pallakurichi Village, Sathankulam Taluk, Thoothukudi District.

2. It is claimed that there is a decree for declaration and injunction in a suit in O.S.No.60 of 2019 on the file of the District Munsif Court, Sathankulam filed by one Thiraviya Nadar, son of Suyambu Nadar against one Sudhagar; the Tahsildar, Sathankulam; and the District Collector, Thoothukudi in respect of two items of the property. The first item of property appears to be the property, which is the subject matter of the present writ petition. The second item of property is an extent of 20



W.P.(MD) No.25696 of 2024

cents in S.No.633, which is not the subject matter of the present writ petition.

3. Be that as it may, this Writ Petition is allowed and a mandamus is issued to the second respondent to survey and demarcate the lands in question after issuing notice to the third respondent, hear him and thereafter pass orders. In case the third respondent is able to produce document stating that he has got a decree in respect of the property in question, the survey shall not be proceeded with. If the survey is not proceeded with, reasons for the same shall also be given by the authority concerned. The said exercise shall be concluded within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is allowed. No costs.

28.10.2024

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



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W.P.(MD) No.25696 of 2024

To

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Thoothukudi District.
- 2.The Tahsildar,
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W.P.(MD) No.25696 of 2024

P.T.ASHA, J.

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