



W.P.(MD) No.25891 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25891 of 2024

Absalom

.. Petitioner

Vs.

1.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

2.The Taluk Surveyor,
Radhapuram Taluk,
Tirunelveli District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to conduct survey and to fix boundary stones in the petitioner's land comprised in Survey No.2210 extent of 0.07.0 Hectares situated in Perungudi Village, Radhapuram Taluk, Tirunelveli District, on the basis of the petitioner's application, dated 29.12.2022 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.D.S.Nedunchezian
Government Advocate



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ORDER

This writ petition is filed for a mandamus to the respondents to conduct survey and to fix boundary stones in the petitioner's land comprised in Survey No.2210 measuring an extent of 0.07.0 Hectares situated in Perungudi Village, Radhapuram Taluk, Tirunelveli District, on the basis of the petitioner's application, dated 29.12.2022.

2. The case of the petitioner is that his father owned several properties in and around the village. After his demise, the petition mentioned property was allotted to the petitioner under a partition deed, dated 23.11.2020. Since then, he has been in possession and enjoyment of the same. In order to put up a fence around his property, on 29.12.2022, the petitioner had made an application and had also paid necessary fee for conducting survey in the said property. Since no further action has been taken on the side of the respondents, the petitioner is before this Court.

3. Heard the learned counsel on either side.



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4. Considering the request of the petitioner and also the fact that the petitioner has made his representation in December, 2022, a Mandamus is issued to the respondents 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 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter proceed to 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 six (6) weeks from the date of receipt of a copy of this order.

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

29.10.2024

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

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P.T.ASHA, J.

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To

- 1.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.
- 2.The Taluk Surveyor,
Radhapuram Taluk,
Tirunelveli District.

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