



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.696 OF 2025

Nagaraj

: Petitioner

.VS.

1.The Tahsildar,
Sivagiri,
Tenkasi District.

2.The Surveyor,
Sivagiri,
Tenkasi District.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to survey and demarcate the boundaries of the Petitioner's properties comprise in S.No.875/2 to an extent of 19 ½ cents, situated at Thirumalapuram Village, Ramanathapuram Post, Sivagiri Taluk, Tenkasi District and by considering the Petitioner's representation, dated 10.12.2024.

For Petitioner

:Mr.C.Suresh Kannan

For Respondents

:Mr.A.Kannan
Addl.Govt.Pleader

O R D E R

This Writ Petition is filed for a Writ of Mandamus directing



the first respondent to survey and demarcate the boundaries of the Petitioner's properties comprise in S.No.875/2 to an extent of 19 ½ cents, situated at Thirumalapuram Village, Ramanathapuram Post, Sivagiri Taluk, Tenkasi District and by considering the Petitioner's representation, dated 10.12.2024.

2.Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner claiming the property on the basis of Release deed executed by his grand-father Ponthaiya to an extent of 8.60 cents and on the basis of the sale deed executed by his brother in S.No.875/2 to an extent of 3 and 1/4 cents, constructed a house and is in possession and enjoyment of the property for the past 15 years. As the adjacent land owners tried to encroach the Petitioner's property, the Petitioner made an application on 12.09.2024 to the first respondent for survey and demarcation of the boundaries of the lands along with relevant documents. The Petitioner also paid the necessary fee of Rs.800/- through e-challan for the said purpose. As no action was taken, the Petitioner submitted a representation on 10.12.2024. Even thereafter, no



action was taken. The Petitioner, therefore, filed the above Writ Petition for the aforesaid relief.

4.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the Petitioner had not produced the supporting documents and therefore, survey could not be conducted. He would further submit that in any event, the Petitioner's representation, dated 10.12.2024 would be considered on merits and in accordance with law and orders will be passed within the time fixed by this Court.

5.In the light of the above submission made by the learned Additional Government Pleader, a direction is issued to the first respondent to consider the representation of the Petitioner, dated 10.12.2024 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs.

09.01.2025



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NSC :Yes/No
Index:Yes/No
Internet:Yes/No

vsn

To

- 1.The Tahsildar,
Sivagiri,
Tenkasi District.
- 2.The Surveyor,
Sivagiri,
Tenkasi District.



WEB COPY



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N.MALA, J.

vsn

ORDER MADE IN
W.P(MD)NO.696 of 2025

09.01.2025