



W.P.(MD)No.27004 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27004 of 2022

C.Govindarasu

.. Petitioner

Vs.

1.The District Collector,
Pudokkottai District,
Pudukkottai.

2.The Assistant Director of Survey,
Pudukkottai.

3.The Tahsildar,
Tahsildar Office,
Alangudi,
Pudukkottai District.

4.The Firka Surveyor,
Alangudi,
Pudukkottai District.

5.Palanivel

6.Panneer @ Panneerselvam

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 survey the petitioner's land in Sy.No.98/5A with an extent of 61 Ares of Neduvasal, Melpathi Village, Alangudi Taluk, Pudukkottai District with police assistance if is required on the basis of the petitioner's representation dated 29.08.2022 with E-Challan, within a specified time frame that may be fixed by this Court.



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For Petitioner : Ms.A.Arul Jenifer
For R1 to R4 : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 4 to survey the petitioner's land in Sy.No.98/5A with an extent of 61 Ares of Neduvasal, Melpathi Village, Alangudi Taluk, Pudukkottai District with police assistance if is required on the basis of the petitioner's representation dated 29.08.2022 with E-Challan, within a specified time frame that may be fixed by this Court.

2.Heard Ms.A.Arul Jenifer, learned counsel appearing for the petitioner, Mrs.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondents 1 to 4. Considering the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 and 6 is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that the representation submitted by the petitioner seeking to survey and demarcate the land of the petitioner, has not been considered.



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4. The learned counsel for the petitioner submitted that the property in Survey No.98/5A situated at Neduvasal Melpathi Village, Alangudi Taluk, Pudukkottai District is owned by the petitioner. The petitioner seeking to survey the said land in order to fence his property, made an application before the third respondent and paid necessary fee. Pursuant to the same, the property of the petitioner was surveyed and demarcated. But the adjacent land owners objected the same. Hence, the petitioner made a representation to the third respondent to survey the property of the petitioner again. The same has not been considered. Hence, the petitioner has filed this present writ petition with the aforesaid prayer.

5. No prejudice would be caused to the official respondents, if the representation of the petitioner dated 29.08.2022 seeking to survey and demarcate the petition mentioned property of the petitioner, is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

6. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the official respondents to consider the representation of the petitioner, dated 29.08.2022 seeking to survey and demarcate the property



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of the petitioner, after giving notice to the petitioner and rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order. If required, the fourth respondent shall seek assistance of the Police Officials for the purpose of conducting survey and demarcation of the petitioner's land.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

30.11.2022

Index : Yes/No
Internet : Yes/No
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To

1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Assistant Director of Survey,
Pudukkottai.
3. The Tahsildar,
Tahsildar Office,
Alangudi,
Pudukkottai District.
4. The Firka Surveyor,
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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