

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.6779 of 2023

A.Arivazhagan

... Petitioner

Vs.

1.The Tahsildar

Tharagampatty,
Kadavur Taluk,
Karur District.

2.The Surveyor

Tharagampatty,
Kadavur Taluk,
Karur District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first and second respondents to consider the petitioner's application, dated 20.01.2023 for

carrying out measurement to fixing the boundaries in respect of Survey Nos.246/1B, 247/2, admeasuring an extent of 3 Acre 04 cents situated at Vellapatty Village, Kadavur Taluk, Karur district.

For Petitioner : M/s.V.Vilma Remy

For Respondents : Mr.J.Ashok,
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the respondents / Tahsildar, Tharagampatty, Kadavur Taluk, Karur District and the Surveyor, Tharagampatty, Kadavur Taluk, Karur District, to consider an application filed by the petitioner on 20.01.2023 to carryout measurement and fix the boundary stones with respect to lands in Survey Nos.246/1B, 247/2 measuring 3.04 acres at Vellapatty Village, Kadavur Taluk, Karur District. The petitioner had also paid necessary charges for carrying out such survey.

2. It is stated in the affidavit that the lands originally belonged to one Rengasamy who sold it to a Minor,Thangavel, who was

represented by his guardian / mother Mariyayee by a sale deed registered as Document No.795 of 1985. That property was again gifted to the very same Minor in the year 2002. The petitioner had purchased agricultural lands from the said Thangavel, and his son Prabhakaran and his two daughters, Prema and Premalatha, in the year 2022. The petitioner had applied for survey of the lands.

3. It is pointed out by the learned Additional Government Pleader that there are many other co-owners whose names are also reflected in the patta.

4. The respondent may therefore, take care to ensure that all those whose names are found in the patta are also served with notice and thereafter, in their presence, proceed to conduct survey. It can also be taken that if survey is done, it would also be to the benefit of other pattadhars, since their lands can also be delineated and the petitioner's lands can be specifically identified. The entire exercise should be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

29.03.2023

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

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To

1.The Tahsildar
Tharagampatty,
Kadavur Taluk,
Karur District.

2.The Surveyor
Tharagampatty,
Kadavur Taluk,
Karur District.

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C.V.KARTHIKEYAN, J.

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