



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2018

C O R A M

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.23456 of 2018

WEB COPY

A.Auri

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Srirangam Taluk,
Trichy District.

2.The Taluk Surveyor,
Taluk Office Complex,
Srirangam Taluk,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the 2nd respondent to survey the property in Survey No.18/7, in door No.3/126, Kalamman Koil Street, Periya Nayaki Chatiram, National Law School Post, Srirangam Taluk, Trichy District based on the petitioner's representation dated 04.07.2018 within the time stipulated by this Court.

For Petitioner : Mr.H.Velavadas

For Respondents : Mr.V.Anand

Government Advocate

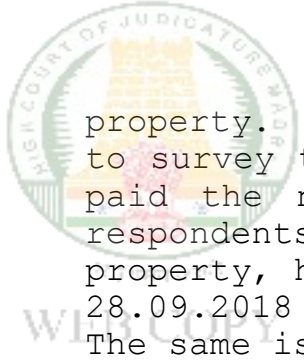
ORDER

This writ petition has been filed seeking for a writ of mandamus to direct the second respondent to survey the property situated in Survey No.18/7, in door No.3/126, Kalamman Koil Street, Periya Nayaki Chatiram, National Law School Post, Srirangam Taluk, Trichy District based on the petitioner's representation, dated 04.07.2018.

2.The learned counsel for the petitioner submits that the petitioner is a senior citizen and he is the owner of the property in Survey No.18/7, situated in the above said address to an extent of 7.5 cents. The Government issued free house site patta on 25.10.1989 to his grand father Maruthai and his brother Periannan. The revenue Records i.e., A Register also shows that the property is being enjoyed by the petitioner and his ancestors till date. After the death of his father the property equally i.e., 2.5 cents each, was shared between him and his family members and they are in possession of the same. The petitioner has constructed a house in his share of property. The electricity service charge, house tax and water tax to the local authority are being paid in the name of the petitioner's son viz., Sakthivel.

<https://hcservices.ecourts.gov.in/hcservices/>

3.While so, some encroachers were trying to encroach the house



property. Hence, he had given an application before the respondents to survey the property in Survey No.18/7 on 04.07.2018 and had also paid the necessary fee in favour of the respondent. Since the respondents had not acted on the said representation to survey the property, he approached the Revenue Divisional Officer, Srirangam on 28.09.2018 and gave a petition to take action on the respondents. The same is also pending without taking any action.

4.It is the prime case of the petitioner that the patta is in the name of the petitioner and his brothers and the name of his grand father and his father's name also mentioned in the said patta. The petitioner is in enjoyment of the said property and the application for surveying the said property has been given along with copy of A Register, patta, house tax receipt, Electricity Bill and Water tax receipt to the respondents on 17.09.2018. Though reminder letter was also sent, till date no survey has been conducted by the authorities. Hence, the petitioner prays for indulgence from this Court.

5.From the above facts, it is seen that the petitioner is aged about 72 years. He is a senior citizen. Since the petitioner's land is only 7.5 cents, which has been divided among the family members, the application to survey the said land can be considered by the revenue authorities. Accordingly, the respondents are directed to survey the said land as per seniority within a period of eight weeks from today and pass necessary orders.

6.With the above direction, this writ petition is disposed of. There shall be no order as to costs.

Sd/

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Tahsildar,
Taluk Office,
Srirangam Taluk,
Trichy District.

2.The Taluk Surveyor,
Taluk Office Complex,
Srirangam Taluk,
Trichy District.

+1cc to Mr.H.VELAVADHAS, Advocate, SR.No. 97043

+1cc to M/s.Special Government Pleader,SR.No.97377

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