

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.PARTHIBAN****W.P. (MD) No.6248 of 2014****WEB COPY**

R.Sankarkumar

... Petitioner

vs.

1. The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

2. The Taluk Sub Inspector (Land Survey)
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to measure and demarcate the petitioner's land property in Survey No.44/2E at the extent of 0.28.50 ares (70 cents) situate at Chickampatti Village, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District based on the fee remitted on 27.01.2014 and in accordance with law within a time frame.

For Petitioner : Mr.J.Selvam

For Respondents : Mr.A.Muthukaruppan

Additional Government Pleader

O R D E R

This writ petition has been filed to direct the the respondents to measure and demarcate the petitioner's property in Survey No.44/2E at the extent of 0.28.50 ares (70 cents) situate at Chickampatti Village, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District, based on the fee remitted on 27.01.2014 and in accordance with law within the time stipulated by this Court.

2.According to the petitioner, by virtue of registered sale deed, dated 15.10.2003, he become a owner of the property in Survey No.44/2E to an extent of 0.28.50 acres (70cents) situated at Chickampatti Village, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District. After the purchase of the property, the patta was also issued in the name of the petitioner in Patta No.41 and the same was entered into Patta Pass Book bearing No.156359 and thereafter, the petitioner has been enjoying the peaceful possession of the property, without any interference.



3.While the matter stood thus, the petitioner submitted a representation to the first respondent on 27.01.2014, for measuring and demarcation of the boundaries of the said property. The petitioner had already paid necessary fee, on 27.01.2014 and submitted necessary documents, such as sale deed, patta, chitta etc. Since no steps have been taken to survey the land, the petitioner is before this Court for the aforesaid relief.

4.After serving notice, Mr.A.Muthukarupan, learned Additional Government Pleader entered appearance on behalf of the respondents.

5.The learned Additional Government Pleader appearing for the respondents, on instruction, would submit that a direction may be issued to the respondents to survey and measure the subject matter of property within the time stipulated by this Court.

6.Considering the averments contained in the affidavit filed in support of this writ petition and the submission made on behalf of the learned Additional Government Pleader, this Court passed the following directions:

(a)The respondents are directed to survey and measure the property and demarcate the boundaries in respect of the property in Survey No. 44/2E at the extent of 0.28.50 ares (70 cents) situate at Chickampatti Village, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District.

(b)The said exercise shall be completed by the respondents, within a period of four weeks from the date of receipt of a copy of this order.

7.With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

1. The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

2. The Taluk Sub Inspector (Land Survey)

<https://hcservices.southindia.nic.in/> Taluk Office,
Usilampatti,
Madurai District.



+1cc to Mr.J.Selvam, Advocate Sr.No.79775
+1cc to Spl.Government Pleader Sr.No.80340

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VB/SV/SAR2/12.09.2018/3P/5C

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