



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.17559 of 2018

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A.Pattuvel

... Petitioner

vs.

1.The Tahsildar

Tuticorin Taluk Office

Tuticorin, Tuticorin District

2.The Head Surveyor

Tuticorin

Tuticorin District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to survey the property of the petitioner under Survey No.471/7A1A under Patta No.3237, measuring 8 Acres 46 Cents at Kumaragiri Village, Tuticorin Taluk, Tuticorin District and to demarcate the four boundaries by considering the representation of the petitioner dated 20.2.2018 within a stipulated time.

For Petitioner : Ms.G.K.Chitra Devi

For Respondents : Mr.S.Angappan

Government Advocate

ORDER

Mr.S.Angappan, learned Government Advocate, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he had purchased a piece of land comprised in Survey No.471/7A1A, measuring an extent of 8 Acres 46 Cents, situated at Kumaragiri Village, Tuticorin Taluk, Tuticorin District, from his father Arumuga Nadar, through a power of attorney agent Senthoo Pandi. The said property was conveyed vide sale deed, dated 27.11.2006, registered with the Sub-Registrar's Office at Pudukottai as document No.4401 of 2006. According to the petitioner, from the date of purchase, he has been in absolute possession and enjoyment of the said property.

4. According to the petitioner, the said property has not been surveyed and its boundaries have not been demarcated so far and therefore, he submitted a representation to the first respondent and



also paid the prescribed fee for surveying the property on 20.02.2018. However, despite the representation and payment of the requisite fee, no survey has been carried out in the property. Therefore, he is before this Court seeking to issue a writ of mandamus.

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5. Since the prayer sought for in this writ petition is limited in scope, for which, the learned Government Advocate for the respondents cannot have any legitimate objection, if the following directions are issued:

- i. The respondents are directed to survey the subject property in pursuance of the representation, dated 20.02.2018 made by the petitioner and demarcate its boundaries and submit a report on such survey.
- ii. It is also open to the respondents to cause notice to any other persons, who may be interested in the subject property.
- iii. Such an exercise shall be completed by the respondents within a period of four weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1.The Tahsildar,
Tuticorin Taluk Office,
Tuticorin, Tuticorin District.

2.The Head Surveyor,
Tuticorin,
Tuticorin District.

+1CC to Ms.G.K.Chitra Devi, Advocate, SR.No. 77388
+1CC to the Special Government Pleader SR.No.77522

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