



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.19143 of 2018

M.Ganesan

... Petitioner

Vs.

1. The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

2. The Taluk Surveyor,
Kadaladi Taluk,
Ramanathapuram District.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents herein to survey the petitioner's land situated in Survey No.464-2A6B, Kulaiyiruppu Village, Sayalkudi Sub-Division, Ramanathapuram District, based on his application, dated 12.04.2018 within a time stipulated by this Court.

For Petitioner	: Mr.T.Veerakumar
For Respondents	: Mrs.J.Padmaavathy Devi, Special Government Pleader.

ORDER

This writ petition has been filed seeking a writ of Mandamus, to direct the respondents to survey the petitioner's land situated in Survey No.464-2A6B, Kulaiyiruppu Village, Sayalkudi Sub-Division, Ramanathapuram District, based on his application, dated 12.04.2018 within the time frame fixed by this Court.

2.Heard both sides and perused the materials available on record.

3.The grievance of the petitioner is that he is the owner of the property, which has been purchased by him under registered sale deed dated 20.10.1984 in Document No.1073 of 1984 from one V.V.S. Annasamy, measuring an extent of 12-1/2 cents out of 2 acres 80 cents, comprised in Survey No.464-2A6 situated in Kulaiyiruppu Village, Sayalkudi Sub-Division, Ramanathapuram District.



4. On perusal of the typed set of papers, it could be seen that in 'A' Register, the petitioner's name finds place and patta also stands in his name viz., in Patta No.1931 and he has also been in possession and enjoyment of the property from 1984. Since the said land is not in a good shape, he made an application before the first respondent to survey his land and to fix the boundaries, for which, he has also paid the necessary fees on 12.04.2018. Till date, the said land had not been surveyed by the second respondent. Hence, he made a representation in person to the respondents. Since, so far no action has been taken by the respondents, he filed the present Writ Petition.

5. Since in the application the petitioner has not stated anything about land dispute with his neighbours, this Court is of the opinion that the Revenue Authorities can survey the said land and fix the boundaries as per the revenue records produced by the petitioner. The concerned authorities are directed to verify the same and survey the land and fix the boundaries by serving notice to the adjacent owners, if any, within a period of one month from the date of receipt of a copy of this order. If there is any objection raised, the authorities are directed to consider the same and take action in accordance in law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.
2. The Taluk Surveyor,
Kadaladi Taluk,
Ramanathapuram District.

+ 1 CC TO Mr.T.VEERAKUMAR, ADVOCATE IN SR No. 94570
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 94755

PS

TE/SV/SAR-2 : 28/11/2018 : 2P/5C

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