



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.01.2020
CORAM

THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

WEB COPY

W.P. (MD) No.1459 of 2020

V.Ilangovan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Collectorate Campus,
Madurai District.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

3.The Taluk Surveyor,
Vadipatti Taluk Office Campus,
Vadipatti, Madurai District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to take steps based on the petitioner's representation dated 26.11.2019 and to survey the land and to demarcate the boundaries of the petitioner's ancestral property comprised in Survey No.20/13, which is situated at Neerethan Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.R.Saravanakumar

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader

ORDER

This writ petition has been filed to direct the respondents to take steps based on the petitioner's representation dated 26.11.2019 and to survey the land and to demarcate the boundaries of the petitioner's ancestral property comprised in Survey No.20/13, which is situated at Neerethan Village, Vadipatti Taluk, Madurai District.

2.The petitioner has not produced any legal document or document of title to establish that the petitioner has *prima facie* title. However, the petitioner's representation reveals that the petitioner has claimed title by stating that the property in survey



No.20/13 is his ancestral property.

3.The learned Additional Government Pleader has produced a communication addressed to the petitioner dated 04.12.2019. In the communication, it is stated that the property in survey No.20/13 is registered in the name of several persons including the father of the petitioner. It is further stated that as per the subdivision, the petitioner's property has been demarcated as property in survey No.20/13 'A' and others, who were holding joint patta, was given separate patta specifying the area in which they are entitled to have exclusive ownership.

4.The petitioner's claim of title cannot be adjudicated by the Thasildar. Since the Thasildar has taken a decision on the basis of revenue records and subdivision proceedings, this Court cannot entertain this petition. Giving liberty to the petitioner to approach the Civil Court to establish his title and enjoyment of the property in survey No.20/13 or any other survey number, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

To

1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Collectorate Campus, Madurai District.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti, Madurai District.

3.The Taluk Surveyor,
Vadipatti Taluk Office Campus,
Vadipatti, Madurai District.

+1 CC to M/s.R.SARAVANAKUMAR, Advocate (SR-3109[F] dated 27/01/2020
+1 CC to M/s.SPL.GP (SR-3364[F] dated 28/01/2020)

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JMN(12.02.2020) 2P : 6C

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