



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD)No.4212 of 2020

R.Gopalsamy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Thasildar,
Survey Department,
Taluk Office,
Vembakottai Taluk,
Virudhunagar District.

3.The Taluk Surveyor,
Vembakottai Taluk,
Virudhunagar District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to survey the land in S.No.90/1 at Alangulam Village, Vembakottai Taluk, Virudhunagar District and fix the four boundaries within the time stipulated by this Court.

For Petitioner : Mr.S.Venkatesh
for Mr.A.Sivaji

For Respondents : Mr.R.Sethuraman
Special Government Pleader

O R D E R

This Writ Petition is filed to direct the respondents to survey the land in S.No.90/1 situated at Alangulam Village, Vembakottai Taluk, Virudhunagar District, and fix the four boundaries within the time stipulated by this Court.

2.Heard Mr.A.Sivaji, learned counsel appearing for the petitioner and Mr.R.Sethuraman, learned Special Government Pleader appearing for the respondents.

3.According to the petitioner, the lands in Survey No.90/1 situated at Alangulam Village, Virudhunagar District, to an extent of 2 acres and 9 cents, was purchased by his father viz., Ramanujam, through registered sale deed dated 23.07.1962 and patta was also issued to his father in Patta No.725. At this juncture, the Government of Tamil Nadu has acquired 60 cents, out of 2.9 acres, for establishment of Tamil Nadu Cements Corporation, during 1967.



With regard to the remaining cents, survey is to be conducted and boundaries are to be fixed. In this regard, the petitioner approached the authorities to survey the land in S.No.90/1. Since no action has been taken, the petitioner is before this Court.

4.Today when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that the said property has been surveyed, after issuing notice to the parties concerned. During the survey, the other legal heirs of the deceased Ramanujam, objected to survey the said property and the surveyor has also prepared his report. He further submitted that after the completion of the survey, the petitioner has not signed in the said report.

5.The learned counsel appearing for the petitioner has disputed the aforesaid fact. He further submitted that the copy of the surveyor report was not communicated to the petitioner.

6.In view of the above, the learned Special Government Pleader appearing for the respondents undertakes to serve the copy of the surveyor report to the learned counsel for the petitioner and the same will also be despatched to the petitioner.

7.Considering the submissions made on either side, this Court directs the respondents to communicate the surveyor report to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Thasildar,
Survey Department,
Taluk Office,
Vembakottai Taluk,
Virudhunagar District.

3.The Taluk Surveyor,
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KK(13.08.2020) 3P 4C