



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)No.15942 of 2020

R.Vasantha Sekaran

... Petitioner

-vs-

1.The Tahsildar,
Sivakasi Taluk Office,
Virudhunagar District.

2.The Head Surveyor,
Sivakasi Taluk Office,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to survey the petitioner's land in Survey No.158/4A to an extent of 0.08.50 Hectare nearly 21 cents which is situated at Vetrilaiyurani Village, Sivakasi Taluk, Virudhunagar District and consequently to fix its boundaries as per the revenue records by considering the petitioner's representation dated 27.07.2020 within the time limit.

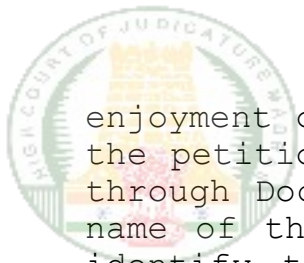
For Petitioner	: Mr.M.S.Jeyakarthik
For Respondents	: Mr.K.P.Krishnadoss Special Government Pleader

ORDER

This writ petition is filed, seeking issuance of a Writ of Mandamus to direct the first respondent to survey the petitioner's land in Survey No.158/4A to an extent of 0.08.50 Hectare nearly 21 cents which is situated at Vetrilaiyurani Village, Sivakasi Taluk, Virudhunagar District and consequently to fix its boundaries as per the revenue records by considering the petitioner's representation dated 27.07.2020 within the time limit.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the respondents. By consent of both sides, the Writ Petition is disposed of at the admission stage itself.

3.It is represented by the learned counsel appearing for the petitioner that the property measuring to an extent of 0.08.50 Hectare nearly about 21 cents in Survey No.158/4A situated at Vetrilai Oorani Village, Sivakasi Taluk, Virudhunagar District, was purchased by the petitioner's mother by name Chithra Packiyam through a sale deed dated 10.01.1992 from one Venkatalakshmi. After the demise of the petitioner's mother in the year 2011, the legal heirs namely the siblings of the petitioner are in possession and



enjoyment of the said property. On 05.06.2020 the four siblings of the petitioner had executed a gift deed in favour of the petitioner through Document No.3093/2020 and patta was also transferred in the name of the petitioner as Patta No.2219. Thereafter, in order to identify the property, the petitioner made an application to the first respondent on 27.07.2020 seeking to conduct survey and fix four boundaries. In response to the said application, the first respondent had issued a notice on 31.08.2020 calling the petitioner to be present on 09.09.2020. Accordingly, the petitioner had appeared before the first respondent with relevant document but till date no survey had been conducted. Therefore, the petitioner has come forward with the present Writ Petition.

4.Considering the facts and circumstances of the case, the first respondent is directed to consider the representation of the petitioner dated 27.07.2020 and survey the property in the light of the judgment made in W.P.(MD)No.13465 of 2020, dated 13.10.2020.

5.With the above direction, the writ petition, is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

1.The Tahsildar,
Sivakasi Taluk Office,
Virudhunagar District.

2.The Head Surveyor,
Sivakasi Taluk Office,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-21907[F] dated 11/11/2020)

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate (SR-21877[F] dated 11/11/2020)

W.P (MD)No.15942 of 2020
10.11.2020

PU(CO)

KB(09.12.2020) 2P 5C