



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated 26.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.16834 of 2020

(Through Video Conferencing)

R.Shanmugasundaram

... Petitioner

Vs.

1.The Tahsildar,
Madurai North Taluk
Madurai 625002.

2.The Surveyor,
Madurai Taluk Office,
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 consider the petition dated 05.10.2020 and to survey and demarcate the property of the petitioner situated in Madurai District, Madurai North Taluk, Aanaiyur Bit-1, Patta No.1164 Survey No.16/4, to an extent of 1 acre 38 cents as per the Tamil Nadu Survey and Boundaries Act, 1923 and consequently to make necessary mutations in the revenue records pertaining to the petitioner above said property within a time frame as may be fixed by this Court.

For Petitioner : Ms.P.Jessi Jeeva Priya
For Respondents : Mr.M.Pandiyarajan
Addl. Government Pleader

O R D E R

The writ petition has been filed for a direction to the respondents to consider the petition dated 05.10.2020 and to survey and demarcate the property of the petitioner situated in Madurai District, Madurai North Taluk, Aanaiyur Bit-1, Patta No.1164 Survey No.16/4, to an extent of 1 acre 38 cents as per the Tamil Nadu Survey and Boundaries Act, 1923 and consequently to make necessary mutations in the revenue records pertaining to the petitioner above said property within a time frame as may be fixed by this Court.

2.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader, who takes notice for the



respondents. By consent of both sides, the writ petition is taken up for final disposal.

3. According to the petitioner, in order to survey and demarcate the property purchased by him and his wife, he approached the respondents with a petition dated 05.10.2020. However, since no action has been taken either on the said representation or on the application for measuring the property, the petitioner is before this Court.

4. Heard the learned Special Government Pleader on the above submissions.

5. Considering the facts and circumstances, this Court is inclined to direct the respondents to conduct survey and pass necessary orders in accordance with law, after hearing the petitioner and the necessary parties. In case of issuance of patta, survey needs to be conducted and the said survey shall be photographed and videographed in the presence of the petitioner and necessary parties and the costs of photograph and Videograph to be borne by the party seeking patta. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not decided the rights of the parties in the present Writ Petition. It is open to the respondents to decide the same in accordance with law. The guidelines issued by this Court in W.P.(MD)No.13465 of 2020 modified on 13.10.2020 should be followed, wherever it is applicable.

6. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

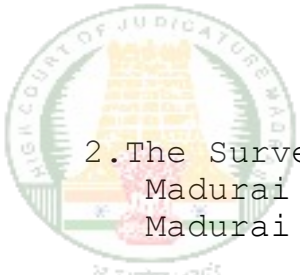
RR

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 Tahsildar,
Madurai North Taluk
Madurai 625002.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Surveyor,
Madurai Taluk Office,
Madurai District.

+1 CC to M/s.P. JESSI JEEVA PRIYA, Advocate (SR-23080[F] dated
27/11/2020)

+1 CC to SGP (SR-23364[F] dated 30/11/2020)

Order made in
W.P. (MD) No.16834 of 2020

Dated:
26.11.2020

PM(CO)
NR (14/12/2020) 3P : 5C