



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.3372 of 2021
(Through Video Conference)

S.Savarimuthu

...Petitioner

Vs.

1. The Tahsildar,
Tiruvadanai Taluk,
Tiruvadanai,
Ramanathapuram District.

2. The Deputy Surveyor,
Tiruvadanai Taluk,
Tiruvadanai,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to conduct survey and demarcate the boundaries of the land comprised in Survey No.91/13D Patta No.30, Thottamangalam Village, Tiruvadanai Taluk, Ramanathapuram District based on the representation of the petitioner dated 22.08.2019 to the 2nd respondent and 04.06.2020 to the 1st respondent respectively and furnish the survey report within a time frame fixed by this Court.

For Petitioner : Mr.S.Mohamed Kadhar

For Respondents : Mr.P.Mahendran,

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 04.06.2020 wherein the petitioner has sought for the survey of the subject property and for marking of the boundaries.

2. The case of the petitioner is that the property originally belonged to his father and on his demise, the petitioner has inherited the property. The petitioner made a representation to the respondents seeking for the survey of the property and for marking the boundaries. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.S.Mohamed Kadhar, learned counsel for the petitioner and Mr..Mahendran, learned Additional Government Pleader appearing for the respondents



4. It is seen from the records that the Patta, as on date, stands in the names of the petitioner and his brother bearing Patta No.30. The petitioner has also paid the necessary charges for conducting the survey.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the first respondent to deal with the representation made by the petitioner on 04.06.2020 and take a decision with regard to conducting the survey in the subject property within a period of four (04) weeks from the date of receipt of a copy of this order.

6. . If the first respondent finds that there is any other interested party claiming right over the subject property, they shall also be issued with notice before the survey is conducted.

7. The petitioner is directed to make a fresh representation to the first respondent with all the relevant documents and also a copy of this order. The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Tiruvadanai Taluk,
Tiruvadanai,
Ramanathapuram District.
2. The Deputy Surveyor,
Tiruvadanai Taluk,
Tiruvadanai,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-16481[F] dated 19/04/2021)

W.P.(MD) No.3372 of 2021

16.04.2021

MJ(CO)

KB(27.04.2021) 2P 4C

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