



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.04.2021**

CORAM

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.5028 of 2021

V.Katturaja

.. Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Antipatti Taluk,
Theni District.

2.The Firka Surveyor,
Andipatti Firka,
Andipatti Taluk,
Theni District.

3.The Village Administrative Officer,
Office of the Village Administrative Officer,
Pullimankombai,
Theni District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land comprised in Survey No.521/1B, situating at Thathanorr, Pullimankombai Post, Andipatti Taluk, Theni District and fixed four boundaries on the basis of the petitioner's application dated 05.08.2020 within the time stipulated by this Court.

For Petitioner : M/s.S.Malaikani

For Respondents : Mr.M.Muniasamy,
Additional Government Pleader.

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to consider the application submitted by the petitioner on 05.08.2020, wherein the petitioner has sought for the survey of the subject property and for fixing the boundaries.

2. The case of the petitioner is that the subject property absolutely belongs to the petitioner and his family members and a joint patta has also been granted in patta No.847. The petitioner wanted to conduct a survey in the subject property and an application was made on 05.08.2020 and necessary charges were also paid.



3. The further case of the petitioner is that notice was issued by the second respondent. But, however, no survey was conducted. Left with no other alternative, the present Writ Petition has been filed before this Court.

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4. Heard M/s.S.Malaikani, learned counsel appearing on behalf of the petitioner and Mr.M.Muniasamy, learned Additional Government Pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to respondents 1 and 2, to act upon the application submitted by the petitioner on 05.08.2020, in accordance with law and take a decision with regard to the survey of the subject property, within a period of four (4) weeks from the date of receipt of a copy of this order. If there are any other interested parties, who must be heard before the survey is conducted, notice shall also be sent to them before undertaking the survey.

6. The petitioner is directed to make a fresh representation to respondents 1 and 2 along with all the relevant documents and also a copy of this order.

7. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

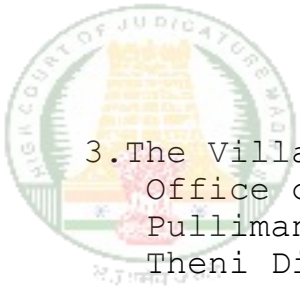
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Tahsildar,
Office of the Tahsildar,
Antipatti Taluk,
Theni District.

2.The Firka Surveyor,
Andipatti Firka,
Andipatti Taluk,
Theni District.

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



3.The Village Administrative Officer,
Office of the Village Administrative Officer,
Pullimankombai,
Theni District.

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+1 CC to M/s.S.MALAIKANI, Advocate (SR-16887[F] dated 21/04/2021)

W.P. (MD)No.5028 of 2021
20.04.2021

RK (29.04.2021) 3P 5C