



WEB COPY

W.P.(MD)No.5545 of 2021
T.Dharmalingam v. The Tahsildar

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 23.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.5545 of 2021
(Through Video Conferencing)

T.Dharmalingam

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Karur, Karur District

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

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents herein to carry out survey on petitioner's land property situated at Karur District, Karur Taluk, Puliyur Village, S.F.No.1749/3.5.1 as per present sub-division S.F.No.1749/4 measuring 48 cents, in the light of his representation dated 22.10.2020 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 22.10.2020, wherein the petitioner has sought for conducting the survey in the subject property and to fix the boundaries.

2. The case of the petitioner is that he became the owner of the property by virtue of a registered partition deed dated 21.09.1990. The further case of the petitioner is that patta was granted in favour of the other co-sharers. The petitioner also wanted to get a patta insofar as the share allotted to him and therefore, made a representation to the respondents seeking for surveying the subject property and for fixing the boundary stones. Since the same was not considered, the present writ petition has been filed before this Court seeking appropriate directions.



3. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. 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 the respondents to consider the representation made by the petitioner on 22.10.2020, on its own merits and in accordance with law and take a decision with regard to the survey of the subject property within four weeks from the date of receipt of a copy of this order. If there are any other interested parties, notice shall also be issued to them before survey is undertaken.

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

6. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

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,
Taluk Office,
Karur, Karur District

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

+1 CC to M/s.SPL GP (SR-17567[F] dated 26/04/2021)

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