



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7637 of 2021

N.Azarudeen

...Petitioner

Vs.

1. The Tahsildar,
Ottapidaram Taluk, Thoothukudi District.

2. The Head Surveyor,
Ottapidaram Taluk,
Thoothukudi District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land measuring 59 cents, under Re-Survey No.548/2, situated at Ottapidaram Village, Ottapidaram Taluk, Thoothukudi District and to demarcate the four boundaries as per the FMB Sketch by considering the petitioner's application dated 08.02.2021 within the time fixed by this Court.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.M.Rajarajan

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 08.02.2021, wherein, the petitioner has sought for surveying the subject property and to fix the boundaries.

2. The case of the petitioner is that the subject property was purchased by him by virtue of a registered sale deed dated 30.12.2020. The petitioner thereafter made an application before the respondents on 08.02.2021 after paying necessary fees and requested for survey of the subject property. The further case of the petitioner is that the second respondent also issued a notice fixing a date for survey of the subject property. However, the subject property was not surveyed. Therefore, left with no other option, the petitioner has approached this Court seeking for appropriate directions.



3. Heard Mr.K.R.Laxman, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing on behalf of 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 second respondent to act upon the application submitted by the petitioner on 08.02.2021 and take a decision with regard to the survey of the subject property and complete the process within a period of six (6) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

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. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

To

1. The Tahsildar,
Ottapidaram Taluk, Thoothukudi District.
2. The Head Surveyor,
Ottapidaram Taluk,
Thoothukudi District.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-15567[F] dated 09/04/2021)
+1 CC to M/s.SPL GP (SR-15632[F] dated 09/04/2021)

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.

Order made in

W.P. (MD) .No.7637 of 2021

Dated:

08.04.2021