



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

WEB COPY

W.P. (MD) No.8207 of 2021

Nagarajan

...Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Sub-Collector,
Kulithalai,
Karur District.

3.The Tahsildar,
Krishnarayapuram Taluk,
Karur District.

4.The Taluk Deputy Inspector of Survey,
Land Survey Department,
Taluk Office,
Krishnarayapuram Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.3 to consider the petitioner's representation, dated 08.10.2020 to measure the petitioner's land bearing SurveyNo.165/2Q admeasuring 5.5 cents and 165/2T, admeasuring 3 cents situated at Mayanur Village Group, Krishnarayapuram Taluk, Karur District and identify the four boundaries in the said property.

For Petitioner : Mr.V.Kannan

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

O R D E R

This writ petition has been filed for the issuance of Writ of Mandamus, directing the third respondent to consider the representation made by the petitioner on 08.10.2020, 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 he had purchased the subject property through a registered sale deed, dated 09.06.1988. The further case of the petitioner is that he also constructed a residential building after obtaining the necessary plan approval



from the Panchayat Union. It is further stated that the revenue records reflects that the petitioner is the owner of an extent of 8.5 cents in the subject property.

3.At the time when the petitioner underwent the process of construction of the building, he was informed by the private Surveyors that the total property measures only an extent of 7.5 cents and there is a deficiency of one cent of land.

4.The petitioner in order to ascertain the actual extent of the property that is available, made an application before the third respondent on 08.10.2020 and requested for the survey of the subject property and for fixing the boundaries. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate direction.

5.Heard Mr.V.Kannan, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader for the respondents.

6.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 third respondent to consider the representation made by the petitioner on 08.10.2020 and deal with the same on its own merits and in accordance with law and take a decision with regard to the survey of the property within a period of four weeks from the date of receipt of a copy of this order. If there are any other interested parties, who should be heard before taking the decision, notice shall also be issued to them before the survey is conducted.

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

8.This writ petition is disposed of with the above directions. No costs.

SD

ASSISTANT REGISTRAR (RECORDS)

TRUE COPY

/05/2021

SUB ASSISTANT REGISTRAR (CS)

TM



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 District Collector,
Karur District, Karur.
- 2.The Sub-Collector,
Kulithalai,
Karur District.
- 3.The Tahsildar,
Krishnarayapuram Taluk,
Karur District.
- 4.The Taluk Deputy Inspector of Survey,
Land Survey Department,
Taluk Office,
Krishnarayapuram Taluk,
Karur District.

1CC TO THE SPL GOVT PLEADER SR 16961

TR
03/05/2021
3P-6C

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