



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2021

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8303 of 2021

N.Ganesamurthy

... Petitioner

Vs.

1.The Assistant Director of Land Survey
O/o. The Trichy Collectorate,
Periyamilaguparai,
Trichy - 620 001.

2.The Tahsildar,
O/o. The Tahsildar,
Srirangam,
Trichy 620 005.

3.The Deputy Surveyor,
Srirangam Taluk,
1st Floor, Municipal Corporation Building,
Srirangam, Trichy - 620 006.

4.The District Revenue Officer,
Trichy District.

... Respondents

(Fourth respondent is *suo motu* impleaded as a party respondent in this writ petition, by order of this Court, dated 22.04.2021, in W.P.(MD).No.8303 of 2021)

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus by directing the respondents to consider the application, dated 30.06.2020 for Survey of the land in comparison with the SLR and the actual possession of the land by the petitioner as per the sale deed, dated 20.08.1971.

For Petitioner : Mr.P.R.Krishnaraj

For Respondents : Mr.P.Mahendran,
Additional Government Pleader

ORDER

This writ petition has been filed for the issuance of writ of mandamus, directing the respondents to consider the representation given by the petitioner on 30.06.2020, wherein, the petitioner has sought for the survey of the subject property after taking into consideration the SLR and the sale deed, dated 20.08.1971.



2.The District Revenue Officer, Trichy, is suo motu added as fourth respondent in this writ petition.

3.The case of the petitioner is that the subject property was purchased by his father by a registered sale deed, dated 20.08.1971. The further case of the petitioner is that there was a subsequent partition and release deed has also been executed by the brothers of the petitioner and thereby, the petitioner has become the absolute owner of the property and he is in possession and enjoyment of the same.

4.The petitioner wanted to settle the property in favour of his children and hence, decided to conduct a survey in the property, so that a proper division can be made while settling the property in favour of his two children. At that point of time, the petitioner noticed that as per the new SLR, there is a shortage of 63 sq. ft. from the actual measurement. Hence, the petitioner made an application before the first respondent seeking for the rectification of the same.

5.The further case of the petitioner is that the first respondent directed the second respondent to act on the application given by the petitioner. The second respondent in turn directed the third respondent to conduct a survey and submit a report through his office memo, dated 14.12.2020. The grievance of the petitioner is that the third respondent has not acted upon the directions given by the second respondent and hence, left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

6.Heard Mr.P.R.Krishnaraj, learned counsel appearing for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader, for the respondents.

7.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 conduct the survey by taking into consideration the title deeds and the revenue records and submit a report before the second respondent, within a period of four weeks from the date of receipt of a copy of this order. The second respondent on receipt of the report from the third respondent shall submit his report before the impleaded fourth respondent, within a period of four weeks thereafter. The impleaded fourth respondent shall consider the said report and deal with the application of the petitioner, wherein, the petitioner has sought for the correction of measurement in the new SLR, within a period of six weeks thereafter.

8.The petitioner shall make a fresh representation to the third respondent with all the relevant documents and also a copy of

<https://hccs.courts.madras.gov.in/e-services/>



this order. A copy of the representation shall be marked to the second respondent and the fourth respondent.

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

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Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

To

1.The Assistant Director of Land Survey
O/o. The Trichy Collectorate,
Periyamilaguparai,
Trichy - 620 001.

2.The Tahsildar,
O/o. The Tahsildar,
Srirangam,
Trichy 620 005.

3.The Deputy Surveyor,
Srirangam Taluk,
1st Floor, Municipal Corporation Building,
Srirangam, Trichy - 620 006.

4.The District Revenue Officer,
Trichy District.

+1 CC to M/s.P.R.KRISHNARAJ, Advocate (SR-17267[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17356[F] dated 23/04/2021)

W.P. (MD) .No.8303 of 2021
22.04.2021

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