



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8326 of 2021

M.Duraisamy

...Petitioner

Vs.

1.The District Collector,
Tiruchirappalli Collector Office,
Tiruchirappalli.

2.The Revenue Divisional Officer,
Musiri Revenue Divisional Office,
Musiri, Tiruchirappalli.

3.The District Revenue Officer,
Tiruchirappalli.

4.The Tahsildar,
Thuraiyur,
Trichy District - 621 014.

5.The Deputy Surveyor,
Thuraiyur Taluk Office,
Thuraiyur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth respondent to implement the order of the fourth respondent vide communication, dated 6.2.2020 reference Na.Ka.A1/450/2020 by subdividing in the 328/2B in Singalandhapuram Village, Thuraiyur Taluk, Trichy District into various survey lands based on the patta and documentary evidence.

For Petitioner : Mr.P.R.Krishnaraj

For Respondents : Mr.P.Mahendran
Addl.Govt. Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the fifth respondent to conduct survey in the subject property and to implement the order of the fourth respondent vide communication, dated 6.2.2020.



2.The case of the Petitioner is that he is the owner of the subject property by virtue of registered sale deed, dated 16.4.2007. According to the Petitioner, the fourth respondent while undertaking sub-division had assigned S.F.No.328/2B1 in favour of the Petitioner. It is further stated by the Petitioner, that there was a mistake in assigning the sub-division and hence a representation was made to the second respondent to rectify the records. The second respondent conducted an enquiry and by proceedings, dated 2.9.2015, cancelled the sub-division that was effected by the fourth respondent. The fourth respondent again measured the property as per the individual patta that was given to the owners. The further case of the Petitioner is that the fourth respondent had directed the fifth respondent to carry out the survey through his letter, dated 6.2.2020. The grievance of the Petitioner is that the fifth respondent has not carried out the survey till date and therefore left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.P.R.Krishnaraj, learned counsel appearing for the petitioner and Mr.P.Mahendran, 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 fifth respondent to complete the survey within a period of four weeks from the date of receipt of a copy of this order and submit a report before the fourth respondent. The Fourth respondent, thereafter, shall pass appropriate orders within a period of six weeks thereafter.

5.The petitioner is directed to make a fresh representation to the respondents 4 and 5 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/-

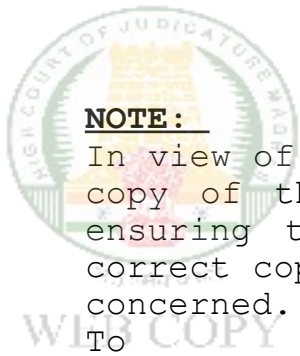
Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Vsn



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,
Tiruchirappalli Collector Office,
Tiruchirappalli.

2.The Revenue Divisional Officer,
Musiri Revenue Divisional Office,
Musiri, Tiruchirappalli.

3.The District Revenue Officer,
Tiruchirappalli.

4.The Tahsildar,
Thuraiyur,
Trichy District - 621 014.

5.The Deputy Surveyor,
Thuraiyur Taluk Office,
Thuraiyur.

+1 CC to M/s.P.R.KRISHNARAJ, Advocate (SR-17266[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17386[F] dated 23/04/2021)

Order made in

W.P. (MD) .No.8326 of 2021

**Dated:
22.04.2021**

RK(25.05.2021) 3P 8C