



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8360 of 2021

S.Jeevanathan

... Petitioner

Vs.

1.The Tahsildar, Rajapalayam,
Viruthunagar District.

2.The Firka Surveyor,
Rajapalayam Taluk,
Viruthunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to survey the petitioner's land situated in Survey No.1369/2A3A, 1370/4B and 1370/1A at Chozhapuram Village - II, Rajapalayam Taluk, Viruthunagar District.

For Petitioner : Mr.N.Sankar Ganesh

For Respondents : Mr.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation/application made by the petitioner on 29.12.2020, 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 the subject property is owned by the petitioner by virtue of a registered gift deed dated 22.07.2019. The further case of the petitioner is that he approached the respondents by giving a representation/application dated 29.12.2020 and requested for survey of the property and also remitted the necessary fees. The grievance of the petitioner is that the survey was not conducted and left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. The learned Government Advocate appearing on behalf of the respondents submitted that the representation/application given by the petitioner has been acted upon and since the petitioner did not attend the enquiry, the respondents were not able to take a



decision.

4. The learned counsel for the petitioner submitted that the petitioner is always willing to co-operate with the respondents and will furnish all the relevant documents.

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5. 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/application made by the petitioner on 29.12.2020 and take a decision with regard to the survey of the subject property within a period of four weeks from the date of receipt of a copy of this order.

6. 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.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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, Rajapalayam,
Viruthunagar District.

2.The Firka Surveyor, Rajapalayam Taluk,
Viruthunagar District.

+1 CC to M/s.SPL GP (SR-20048[F] dated 23/06/2021)

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SE (CO)

TR(02.07.2021) 2P 4C