



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8609 of 2021

M.Periyasamy

... Petitioner

Vs.

1.The Tahsildar,
Srirangam Taluk,
Trichy District.

2.The Taluk Surveyor,
Srirangam Taluk,
Trichy 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 and demarcate the land measuring to an extent of 31 cents comprised in Survey No.91/3 and 34 cents comprised in Survey No.91/4 situated at Puliyur Village, Srirangam Taluk, Trichy District and issue patta to the above said land by considering the petitioner's representations, dated 13.08.2020, 28.09.2020, 28.12.2020 and 18.02.2021.

For Petitioner : Mr.T.Lenin Kumar

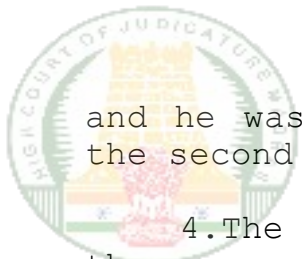
For Respondents : Mr.B.Bhagawathy
Government Advocate

ORDER

This writ petition has been filed for the issuance of Writ of Mandamus, directing the respondents to act upon the representations made by the petitioner, wherein, the petitioner is seeking for the survey and demarcation of the subject property.

2.The case of the petitioner is that he is the absolute owner of the subject property, by virtue of a registered sale deed, dated 06.12.2017. The further case of the petitioner is that patta was also granted in favour of the petitioner in patta No.889.

3.The petitioner made an application before the first respondent on 13.08.2020, seeking for the survey and demarcation of the property. According to the petitioner, he has also paid the necessary charges before the Sub-Treasury. Thereafter, the second respondent is said to have come to the subject property for survey



and he was stopped from doing survey by some persons. Therefore, the second respondent did not conduct the survey.

4.The petitioner, thereafter, made several representations to the respondents seeking for survey and demarcation of the property. Since, the same was not acted upon, the present writ petition has been filed before this Court.

5.Heard Mr.T.Lenin Kumar, learned counsel for the petitioner and Mr.B.Bhagawathy, learned Government Advocate, for the respondents.

6.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to act upon the representation made by the petitioner, on 13.08.2020 and take a decision with regard to the survey of the subject property, strictly in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. If there is any other interested parties, who are objecting to the survey, they shall also be served with notice before undertaking the survey. Once the first respondent decides to survey the property and any disturbance is caused, it is left open to the first respondent to seek for the aid of the police to complete the process in a peaceful manner.

7.The petitioner is directed to make a fresh representation to the first 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 (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

To

1.The Tahsildar,
Srirangam Taluk,
Trichy District.



2.The Taluk Surveyor,
Srirangam Taluk,
Trichy District.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-17798[F] dated
28/04/2021)

+1 CC to M/s.SPL GP (SR-17932[F] dated 28/04/2021)

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GS (9.06.2021) 3P 5C