



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.10865 of 2021

S.Raju

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul East Taluk,
Dindigul District,
Dindigul.

3.The Head Taluk Surveyor,
Dindigul East Taluk,
Dindigul District,
Dindigul.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 & 3 herein to conduct survey, measurement and fix boundaries of the petitioner's property comprised in Survey No.255/18, extent of 35 cents situated in Mullipadi Village, Dindigul East Taluk, Dindigul District, on the basis of registered family Agreement Deed No.1692 of 1999, dated 25.10.1999, within a reasonable time.

For Petitioner

: Mr.N.Marimuthu

For Respondents

: Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed for the issue of Writ of Mandamus, directing the second and third respondents to consider the representation / application made by the petitioner, on 24.02.2021, 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 became the absolute owner of the subject property by virtue of a registered family arrangement, dated 25.10.1999, which was registered as document No.1692/1999. The further case of the petitioner is that the patta was also issued in his favour in patta No.1748. Thereby, the name of the petitioner has been mutated in the revenue records. The petitioner made an application before the second respondent on 24.02.2021 and also paid the necessary charges requesting the second



respondent to survey the subject property and to fix the boundary stones. The grievance of the petitioner is that there has been absolutely no progress on the application made by the petitioner and therefore, left with no other option, the present writ petition has been filed before this court, seeking for appropriate directions.

3. Heard Mr.N.Marimuthu, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate, appearing for the respondents.

4. Taking into consideration the facts and circumstances of this case and limited relief sought for in this writ petition, there shall be a direction to the second and third respondents to consider the representation / application made by the petitioner on 24.02.2021 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. If there are any other interested parties, notice shall also be served on them before undertaking the survey.

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

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

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /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,
Dindigul District,
Dindigul.

2. The Tahsildar,
Dindigul East Taluk,
Dindigul District,
Dindigul.



3.The Head Taluk Surveyor,
Dindigul East Taluk,
Dindigul District,
Dindigul.

+1 CC to M/s.N.MARIMUTHU, Advocate (SR-20816[F] dated 01/07/2021)

+1 CC to M/s.SPL GP (SR-21041[F] dated 02/07/2021)

**W.P. (MD) .No.10865 of 2021
01.07.2021**

KK(09.07.2021) 3P 6C