



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12159 of 2021

S.Solaimalai

...Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Sivagangai Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Sivagangai Taluk Office,
Sivagangai Taluk,
Sivagangai District.

3.Govindan

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to survey and measure the property of the petitioner comprised in S.No.86/4B measuring 0.8.50 hectares situated at Allankulam Village, Sivagangai Taluk, Sivagangai District, as per the application dated 23.11.2020 within a reasonable time as fixed by this Court.

For Petitioner : Mr.V.S.Kumaraguru

For Respondents : Mr.R.Suresh Kumar

Government Advocate
for RR1 & 2

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to act upon the application submitted by the petitioner on 23.11.2020 wherein the petitioner has sought for the survey of the subject property.

2. The case of the petitioner is that he became the owner of the subject property by virtue of a registered sale deed dated 11.12.1975. According to the petitioner, he was enjoying the property along with his brothers. Subsequently, there was a partition and the petitioner was also issued a patta in Patta No.245 and necessary mutation has been made in the revenue records.

3. The petitioner made an application before the respondents seeking for the survey of the subject property.



According to the petitioner, necessary charges were also paid in this regard on 23.11.2020. Since there was no response, the present Writ Petition has been filed before this Court.

4. Heard Mr.V.S.Kumaraguru, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the respondents 1 and 2.

5. Taking into consideration the facts and circumstances and the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to act upon the application submitted by the petitioner on 23.11.2020 and take a decision with regard to the survey of the subject property after issuing notice to the petitioner and the third respondent and complete the process 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 second respondent along with all the relevant documents and also a copy of this order.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Taluk Office,
Sivagangai Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Sivagangai Taluk Office,
Sivagangai Taluk,
Sivagangai District.

<https://hcservices.sivagangai.nic.in/hcservice>



+1 CC to M/s.V.S.KUMAAGURU, Advocate (SR-23107[F] dated 19/07/2021)

+1 CC to M/s.GP (SR-23309[F] dated 20/07/2021)

**W.P. (MD) .No.12159 of 2021
19.07.2021**

SRK(CO)

LR (27.07.2021) 3P 5C