



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12804 of 2021

M.Kathikeyan

...Petitioner

Vs.

1.The Tahsildar,
Kayathar Taluk, Tuticorin District.

2.The Surveyor,
Kayathar Taluk,
Tuticorin District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land in Survey No.303/2 and 385 situated at Ottudanpatti, Kuppanapuram Post, Kadambur, Kayathar Taluk, Tuticorin, measuring about 1 Acre 12 Cents and 2 Cents respectively and fix its boundaries as per the revenue records by considering the petitioner's application dated 29.06.2021 within the time limit that may be stipulated by this Court.

For Petitioner
For Respondents

: Mr.M.Jerin Mathew
: Mr.M.Lingadurai
Government Advocate

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 29.06.2021, 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 owner of the subject property by virtue of a registered gift deed, dated 14.03.2015. The further case of the petitioner is that the patta was also granted in his favour in patta No.1105. The petitioner submitted an application before the respondent after paying necessary fees requesting for the survey of the subject property and for fixing the boundaries. Since the same was not acted upon, the petitioner made a subsequent representation on 06.07.2021 and the same also did not evoke any response. Left with no other option, the present writ petition has been filed before this Court, seeking



for appropriate directions.

3.Heard Mr.M.Jerin Mathew, learned counsel for the petitioner and Mr.M.Lingadurai, learned government Advocate for 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 second respondent to act upon the application submitted by the petitioner on 29.06.2021 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, the second respondent shall serve notice on them before undertaking the survey.

5.The petitioner is directed to make a fresh representation to the second respondent 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 (Records)

// 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 Tahsildar,
Kayathar Taluk, Tuticorin District.

2.The Surveyor,
Kayathar Taluk,
Tuticorin District.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-24244[F] dated 28/07/2021)

+1 CC to M/s.SPL GP (SR-24722[F] dated 30/07/2021)

W.P. (MD) .No.12804 of 2021

**Dated:
28.07.2021**

MGJ(05.08.2021) 2P 5C