



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.13896 of 2021

Palanisamy

... Petitioner

Vs.

1.The Thasildar,
Kulithalai Taluk,
Karur District.

2. The Taluk Surveyor,
Kulithalai Taluk,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to surveying the petitioner's land of bearing Survey No.260/10, Manaivari Patta No.189, situated at Sepalapatti, Kulithalai Taluk, Karur District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.R.Baskaran

ORDER

The petitioner seeks the conduct of survey of the land bearing Survey No.260/10 at Sepalapatti, Kulithalai Taluk, Karur District

2. The petitioner states that he is the owner of the aforesaid land and that a patta was issued in his name on 01.11.2018. In view of the attempted encroachments on his land, he states that he filed an application on 12.07.2021 before the first respondent seeking such survey. On account of the failure of the respondents to respond to the application, the present petition is filed.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both respondents and states that the first respondent may be directed to consider and dispose of the petitioner's application.

4. Although the petitioner has cited a patta in his name, it needs to be examined as to whether the petitioner retains interest in the property and whether there are rival claimants thereto. Such exercise cannot be undertaken in the present proceeding.

5. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the



petitioner's representation dated 12.07.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and to any others who would be affected by such decision. Such reasoned order shall be passed within a period of two (2) months from the date of receipt of a copy of this order.

WEB COPY

6. W.P.(MD).No.13896 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// 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 Thasildar,
Kulithalai Taluk,
Karur District.
2. The Taluk Surveyor,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.SPL GP (SR-26058[F] dated 12/08/2021)

W.P (MD) No.13896 of 2021
11.08.2021

PS (CO)
KB(24.08.2021) 2P 4C