



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) .No.14329 of 2021

Rajivu Gandhi

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Kantharvakottai,
Pudukkottai District.

2.The Head Surveyor,
Kantharvakottai Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to survey the land and fix the boundaries in the land comprised in S.No.259/16 of an extent of 0-54.00 ares in Patta No.1365 situated at Komapuram Village, Kantharvakottai Taluk, Pudukkottai District based on the petitioner's application dated 11.01.2021 within the time stipulated by this Court.

For Petitioner
For R1 & R2

: Mr.S.Veerapandi Selvaraj
: Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks a survey of the land in Survey No.259/16 of an extent of 0-54.00 ares in Patta No.1365 at Komapuram Village, Kantharvakottai Taluk, Pudukkottai District.

2.The petitioner says that the aforesaid land was inherited by him from his father. He states that a joint patta was issued in respect of such land and that such joint patta contains his name. He made a request to the first respondent herein to conduct a survey of the land so as to determine the boundaries thereof and protect the land from encroachment. The present Writ Petition is filed on account of the inaction in such regard by the respondents.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the petitioner's request of survey may be considered and disposed of on merits.

4.The joint patta filed by the petitioner indicates the names of Marimuthu, Muthulakshmi, Rajkumar, Samuthravalli, Anandavalli and Kanagavalli in addition to the name of the petitioner. Similarly the village accounts relating to survey No.259/16 also reflects the



names of all these persons. Therefore, the said persons should be put on notice before deciding the petitioner's application for a survey.

5. Subject to the above observations but without going into the merits of the matter, the respondents herein are directed to consider the petitioner's application dated 11.01.2021 for a survey of the land in Survey No.259/16 at Komapuram Village, Kantharvakottai Taluk, Pudukottai District and dispose of such application within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner, the other joint pattadhars and any other person with interest in the adjoining lands, who may be affected by such survey .

6.W.P.(MD).No.14329 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (ADII)

// 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,
Kantharvakottai,
Pudukkottai District.

2.The Head Surveyor,
Kantharvakottai Taluk,
Pudukottai District.

+1 CC to M/s.SPL GP (SR-26395[F] dated 16/08/2021)

W.P.(MD).No.14329 of 2021

13.08.2021

KMV(CO)

KB(24.08.2021) 2P 4C