



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14468 of 2021

Ajas Ahamed

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Collectorate Buildings,
Madurai - 625 020.

2. The Tahsildar,
Melur Taluk,
Melur,
Madurai District.

3. The Head Surveyor,
Melur Taluk, Melur,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents to Survey the land in S.No.184/14A measuring 82 cents in Vanchi Nagaram Village, Melur Taluk, Madurai District on the basis of the petitioner's representation dated 07.07.2021.

For Petitioner	:	Mr.S.Maheshbabu
For Respondents	:	Mr.R.Baskaran, Counsel for State.

ORDER

The petitioner seeks a survey of his land bearing Survey No.184/14A admeasuring 82 cents in Vanchi Nagaram Village, Melur Taluk, Madurai District.

2. The petitioner states that he acquired title to the property bearing Survey No.184/14A under a gift deed dated 11.01.2021 and registered as document No.80/2021. It is stated that the said property was originally owned by the petitioner's grandmother. The patta in the name of the petitioner's grandmother bearing patta No.412 is enclosed in support.

<https://hcservices.courts.gov.in/hcservices/> The petitioner intended to undertake a survey of the



property and made a representation on 07.07.2021 in that connection. In view of the failure of the respondents to act on such representation, the present writ petition is filed.

4. Mr.R.Baskaran, learned counsel for the State, appears on behalf of all the respondents. He submits that the petitioner's request for a survey may be considered and disposed of on merits.

5. The petitioner has enclosed a partition deed dated 07.01.1984 in terms of which the petitioner's father acquired title to the 82 cents of land in Survey No.184/14A. The Gift Settlement Deed in the petitioner's favour as well as the patta in the name of the petitioner's grandmother have been enclosed. As such, the petitioner has *prima facie* indicated title and possession over the property.

6. In the aforesaid facts and circumstances, the second and third respondents herein are directed to consider the petitioner's representation dated 07.07.2021 and carry out a survey, if deemed appropriate. In any event, the representation of the petitioner shall be disposed of by a reasoned order within a period of three months from the date of receipt of a copy of this order. Such reasoned order shall be issued after providing a reasonable opportunity to the petitioner and to the owners of adjoining properties who may be affected by the conduct of such survey and by the fixation of boundaries pursuant thereto.

7. W.P.(MD).No.14468 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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

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+1 CC to M/s.S.MAHESH BABU, Advocate (SR-26817[F] dated
19/08/2021)

+1 CC to M/s.SPL GP (SR-26929[F] dated 23/08/2021)

W.P (MD) No.14468 of 2021
19.08.2021

PS (CO)
SB(27.08.2021) 3P 6C