



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.15994 of 2021

WEB COPY

Palraj

... Petitioner

Vs.

1.The Thasildar,
Rameswaram Taluk,
Ramanathapuram District.

2.The Taluk Head Surveyor,
Rameswaram Taluk,
Ramanathapuram 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 respondents to survey my land situated in Survey No.880/6, in patta No.10271, Akkalamadam Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District on the basis of Petitioner's application dated 09.07.2021 within the stipulated time.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.P.Subbaraj

Counsel for the State

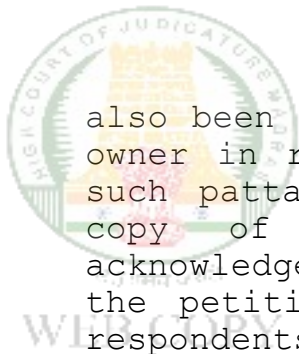
ORDER

The petitioner seeks a survey of the land bearing survey No. 880/6, Akkalamadam Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District.

2.The petitioner states that the above mentioned land was purchased by him under a registered sale deed dated 24.09.2009 bearing Document No.84/2009. It is also stated that a patta was issued in favour of the petitioner in respect thereof. The petitioner applied for a survey of the land on 09.07.2021 so as to demarcate the property and fix the boundaries thereof. The requisite fee in such regard was also remitted. The present writ petition is filed on account of the failure of the respondents to take action thereon.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the respondents may be directed to take action pursuant to the petitioner's application.

4.The petitioner has enclosed a copy of the registered sale deed dated 24.09.2009. Such document indicates that the petitioner is the owner of the property. The patta bearing patta No.10271 has



also been enclosed. Such patta indicates that the petitioner is the owner in respect of land bearing survey No.880/6. It appears that such patta has been issued under proceedings dated 26.07.2020. A copy of the application dated 09.07.2021, including the acknowledgement of receipt thereof have been enclosed. Therefore, the petitioner has made out a case to issue a direction to the respondents herein. There do not appear to be any rival claimants as regards this property.

5. Accordingly, the respondents are directed to initiate action for the survey of the land bearing Survey No.880/6 in response to the petitioner's application. Such survey shall be conducted after providing a reasonable opportunity to the petitioner and the owners of adjoining lands who may be affected by the conduct of such survey. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

6.W.P.(MD).No.15994 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)

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,
Rameswaram Taluk,
Ramanathapuram District.

2.The Taluk Head Surveyor,
Rameswaram Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-28690[F] dated 09/09/2021)

W.P(MD).No.15994 of 2021
08.09.2021

RS (27.09.2021) 2P 4C