



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16712 of 2021

Sagaya Iruthaya Raj

... Petitioner

Vs.

1.The District Collector,
Trichy,
Trichy District.

2.The Tahsildar,
Taluk Office,
Lalgudi Taluk,
Trichy District.

3.The Head Surveyor,
Taluk Office,
Lalgudi Taluk,
Trichy 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 consider the representation of the petitioner dated 29.07.2021 for the measurement and subdivision of the property of the petitioner situated on old Survey No.90/121 and new Survey No.380/1 in North Street, Pullambadi Village, Trichy District.

For Petitioner : Mr.S.B.Kavin Prince

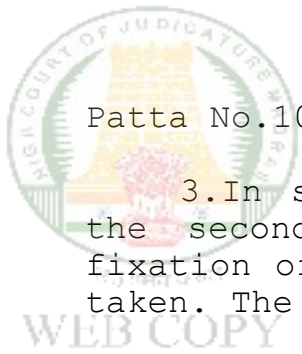
For Respondents : Mr.P.Subbaraj

Counsel for the State

ORDER

The petitioner seeks a direction to the second and third respondents to carry out the measurement of the property bearing old Survey No.90/121 and new Survey No.380/1 at North Street, Pullambadi Village, Trichy District.

2.The petitioner states that his father, Panneer Selvam, inherited the above mentioned property from his father Arpudha Udaiyar. Upon the death of his father, it is stated that the patta was transferred in the name of the petitioner on 24.04.2007. The petitioner cites the manaivari thoraya patta issued to him under



Patta No.1043.

3.In spite of submitting a representation dated 29.07.2021 to the second respondent seeking measurement of the property and fixation of the boundaries thereof, it is stated that no action was taken. The present writ petition is filed for such purpose.

4.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation may be directed to be acted upon in accordance with law.

5.The petitioner has enclosed a copy of the patta issued in his name. Such patta is in respect of new Survey No.380/1. He has also enclosed copies of the representation made seeking survey and proof of remittance of the requisite charges in such regard. On the basis of the said documents, the petitioner is entitled to the consideration of his representation subject to the production of the original documents in such regard to the Tahsildar concerned.

6.Accordingly, without going into the merits of the matter, the second respondent is directed to consider the petitioner's representation dated 29.07.2021 subject to the production of the relevant revenue records by the petitioner. The petitioner is permitted to do so within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the second respondent is directed to act on the petitioner's representation after providing a reasonable opportunity to the owners of adjoining properties who may be affected by the conduct of a survey. The entire exercise shall be concluded within a period of three months from the date of receipt of a copy of the original documents from the petitioner.

7. W.P.(MD).No.16712 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)

Sn/Sji

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 District Collector,
Trichy,
Trichy District.

2.The Tahsildar,
Taluk Office,
Lalgudi Taluk,
Trichy District.

3.The Head Surveyor,
Taluk Office,
Lalgudi Taluk,
Trichy District.

+1 CC to M/s.SPL. GP (SR-29576[F] dated 20/09/2021)

+1 CC to M/s.S.B.KAYVIN PRINCE, Advocate (SR-29733[F] dated
21/09/2021)

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NSN (CO)
KB (27.09.2021) 3P 6C