



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17068 of 2021

P.Velusamy

... Petitioner

Vs.

1.The Thasildar,
Mannachanallur Taluk,
Trichy District.

2.The Taluk Surveyor,
Mannachanallur 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 survey and demarcate the land measuring to an extent of 0.2.00 hectare comprised in Survey No.447/11B situated at Ayyampalayam Village, Mannachanallur Taluk, Trichy District and issue patta to the above said land by considering his representation dated 08.01.2021 and 06.09.2021.

For Petitioner	: Mr.T.Lenin Kumar
For Respondents	: Mr.P.Subbaraj
	Counsel for State

ORDER

The petitioner seeks a survey and demarcation of the property bearing Survey No.447/11B1 at Ayyampalayam Village, Mannachanallur Taluk, Trichy District.

2.The petitioner states that the land bearing Survey No.447/11B1 originally belonged to his father Palaniyandi. Upon the demise of his father, the petitioner, his brother, Saravanan, and his sister, Kannammal, inherited the said property. The petitioner cites the patta in support of such submission.

3.The petitioner states that a representation dated 08.01.2021 was issued to the first respondent seeking a survey of the property and the fixation of the boundaries thereof. The requisite fee, in such regard, was also remitted. The present writ petition is filed because no action was taken thereon.

4.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the first respondent may be directed to consider the application in view of



the fact that the joint patta has been issued in the name of the petitioner and his siblings.

5.Upon perusal of Patta No.4629, it is evident that such patta has been issued in respect of six survey numbers, including Survey No.447/11B1 of an extent of 0.2.00 hectares. The said patta has been issued in the names of Saravanan, Velusamy and Kannammal. The petitioner states that the joint pattathars are his brother and sister, respectively.

6.On the basis of these documents, the petitioner has made out a case for a direction to act on his application, albeit after putting the joint pattathars on notice. In addition, the owners of adjoining properties, whose boundaries may be impacted by the conduct of survey, should be put on notice.

7.For reasons set out above, W.P.(MD).No.17068 of 2021 is disposed of by directing the respondents to consider the petitioner's representations dated 08.01.2021 and 06.09.2021 and initiate necessary action thereon after providing a reasonable opportunity to the petitioner, the joint pattathars under Patta No.4629 and the owners of adjoining properties, whose boundaries may be impacted in the event of conduct of a survey. The entire exercise shall be concluded within a period of three (3) months from the date of receipt of a copy of this order. In the event the respondents are not inclined to conduct a survey, the reasons for refusal should be indicated in a communication to the petitioner. However, there will be no order as to costs.

Sd/-

Assistant Registrar (A.D II)

// 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 Thasildar,
Mannachanallur Taluk,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Taluk Surveyor,
Mannachanallur Taluk,
Trichy District.

+1 CC to M/s.SPL. GP (SR-30006[F] dated 23/09/2021)

W.P (MD) .No.17068 of 2021
22.09.2021

NSN (CO)

RS (06.10.2021) 3P 4C