



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.09.2021**

**CORAM**

**WEB COPY**

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.P(MD)No.17399 of 2021**

S.Mohamed

... Petitioner

**Vs.**

1.The Tahsildar,  
Ilayankudi Taluk,  
Sivagangai District.

2.The Firka Surveyor,  
Sothukudi Village,  
Ilayankudi Taluk,  
Sivagangai District.

... Respondents

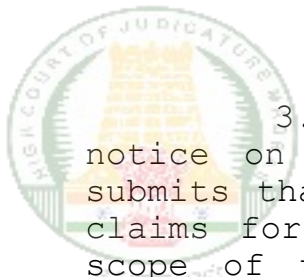
**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey the land comprised in Survey No.385/188 situated at Dr.Jahir Hussain Street, Ilayankudi Sekarm, Pudur Town, Sothugudi Group, Ilayankudi Taluk, Sivagangai District by considering the petitioner's representation dated 05.08.2021 within the period that may be stipulated by this Court.

For Petitioner : Mr.J.Sulthan Basha  
For Respondents : Mr.P.Subbaraj  
Counsel for State

**ORDER**

The petitioner seeks a survey of the land bearing Survey No. 385/188 at Dr.Jahir Hussain Street, Ilayankudi Sekarm, Pudur Town, Sothugudi Group, Ilayankudi Taluk, Sivagangai District

2. The petitioner claims title to the above mentioned property under a registered sale deed bearing Document No.1231 dated 05.08.2009. Since the date of purchase, the petitioner states that he is in possession and enjoyment of the relevant property. It is also stated that patta was issued to him in respect thereof under Patta No.1542. In order to conduct a survey and demarcate the property, the petitioner applied to the respondents on 23.02.2021. In spite of remitting the requisite fees in such regard, it is stated that a survey was not under taken.



3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. On instructions, he submits that a separate office has been constituted with regard to claims for survey in respect of properties which come within the scope of the Manaivaadagai Pathivedu (GR). In respect of such properties, the person seeking survey is required to approach the Tahsildar, Sivagangai (Manaivaadagai Pathivedu).

4. In light of the above submissions, the petitioner is permitted to submit a fresh application for survey to the Tahsildar (Manaivaadagai Pathivedu), Sivagangai, within a period of two (2) weeks from the date of receipt of a copy of this order. Such application shall be submitted by enclosing relevant title and revenue documents, including the patta. Upon receipt thereof, the said Tahsildar is directed to consider such application and initiate action in respect thereof after providing a reasonable opportunity to the petitioner and to the owners of adjoining properties, whose boundaries may be impacted by the conduct of a survey. The entire exercise shall be concluded within a period of three (3) months from the date of receipt of such fresh application.

5. Accordingly, W.P.(MD).No.17399 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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,  
Ilayankudi Taluk, Sivagangai District.

2.The Firka Surveyor,  
Sothukudi Village,  
Ilayankudi Taluk, Sivagangai District.

+1 CC to M/s.SPL.GP ( SR-30583[F] dated 29/09/2021 )

W.P(MD)No.17399 of 2021

**28.09.2021**

MGJ(08.10.2021) 2P 4C

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