



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

**DATED : 27.09.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY**

**W.P(MD)No.17330 of 2021**

T.Periyasamy

... Petitioner

**Vs.**

The Tahsildar,  
Taluk Office,  
Thiruverumbur,  
Trichy District.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to carry out survey on petitioner's property situated at Trichy District, Thiruverumbur Taluk, Elanthaipatti Village, Patta No.157, S.F.No.51/3, measuring hectare 0.17.0 ares equivalent to acre 0.42 cents in which western side acre 0.25, in the light of his representation dated 23.08.2021 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondent : Mr.P.Subbaraj  
Counsel for State

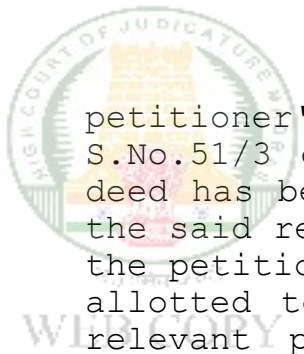
**ORDER**

The petitioner seeks a survey of the property bearing S.F.No.51/3 of an extent of 0.17.0 ares, which is said to be equivalent to 42 cents at Elanthaipatti Village, Thiruverumbur Taluk, Trichy District.

2.The petitioner claims title to the above mentioned property by a registered partition deed dated 12.09.2016. According to the petitioner, the A schedule property under the above mentioned registered partition deed was allotted to him. Prior thereto, Patta No.157 was issued. After submitting an application dated 22.04.2021 seeking survey of the property and upon remitting the requisite fees in such connection, the present writ petition is filed.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice for the sole respondent. He submits that the petitioner's application for survey may be considered and disposed of on merits and in accordance with law.

4.The petitioner has enclosed Patta No.157. The said patta has been issued in the name of Thangavel, who is said to be the



petitioner's father. The patta pertains to the property bearing S.No.51/3 of an extent of 0.17.00 ares. The registered partition deed has been executed subsequently. The A schedule property under the said registered partition deed has been allotted to the share of the petitioner. The property bearing S.No.51/3 appears to have been allotted to not only the petitioner but the other parties to the relevant partition deed. Therefore, the other parties to the partition deed should be put on notice before a decision is taken on the petitioner's request for survey.

5. Accordingly, without entering any findings on the merits of the petitioner's application for survey, the respondent herein is directed to consider the petitioner's representation dated 23.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, R.Ranjith, R.Rajakumari, T.Palanisamy, T.Kanthasamy, T.Subramani and T.Deivanai. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P. (MD) No. 17330 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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

The Tahsildar,  
Taluk Office,  
Thiruverumbur,  
Trichy District.

+1 CC to M/s.SPL.GP ( SR-30470[F] dated 28/09/2021 )

**W.P (MD) No.17330 of 2021**  
**27.09.2021**