



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) .No.19116 of 2021

Pandiyaraja

... Petitioner

Vs.

1.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

2.The Firka Surveyor,
Nilakkottai Taluk,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to survey petitioner's properties comprising in Survey No.1092/2A2 with an extent of 1 Ares and 34 Cents situated at Sevuganpatti Village, Nilakkottai Taluk, Dindigul District based on his representation dated 13.10.2021 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Ezhilarasu
For Respondents : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks a direction to the respondents to survey his property bearing Survey No.1092/2A2 of an extent of 1 acre and 34 cents at Sevuganpatti Village, Nilakkottai Taluk, Dindigul District.

2. The petitioner states that he is the owner of the above mentioned property. The sale deed dated 06.12.2019 is cited in support thereof. In addition, the petitioner relies upon Patta No.8125 issued in respect of the relevant property. After submitting a representation dated 13.10.2021 seeking survey of the land, the present Writ Petition is filed.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that



the first respondent may be directed to consider and dispose of the petitioner's request for survey after putting the adjoining land owners on notice.

4. The petitioner has enclosed a copy of the sale deed dated 06.12.2019. Such sale deed is in favour of the petitioner and his wife T.Aishwarya. The schedule to the said sale deed indicates that it is in respect of the property bearing Survey No.1098/2 of an extent of 1 acre and 24 cents. Patta No.8125 is also enclosed. Such patta is in the name of the petitioner and his wife T.Aishwarya. It is in respect of the property bearing Survey No.1098/2A2 of an extent of 49.89 Hectares which corresponds to 1.24 acres. On the basis of these documents, the petitioner has made out a case for the consideration of his application for survey. However, since the petitioner jointly owns the property along with his wife, T.Aishwarya, she should be put on notice. In addition, the owners of the adjoining properties whose boundaries may be impacted by the conduct of a survey should be put on notice.

5. For reasons set out above, W.P.(MD).No.19116 of 2021 is disposed of by directing the first respondent to initiate action on the basis of the petitioner's representation dated 13.10.2021. Notice should be issued both to the petitioner and his wife as also the owners of the adjoining properties whose boundaries may be impacted by the conduct of a survey. The entire process shall be concluded within a period of three (3) months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// 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,
Nilakkottai Taluk,
Dindigul District.

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



2.The Firka Surveyor,
Nilakkottai Taluk,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-33205[F] dated 29/10/2021)

WEB COPY

+1 CC to M/s.C.EZHILARASU, Advocate (SR-33098[F] dated 28/10/2021)

**W.P. (MD) .No.19116 of 2021
28.10.2021**

RD/UV (10.11.2021) 3P 5C