



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.21424 of 2021

WEB COPY

A.Meyyar

... Petitioner

Vs.

1. The Tahsildhar,
Pattukottai Taluk, Thanjavur District.

2. The Surveyor,
Pattukottai Taluk,
Thanjavur 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 herein to conduct survey and mark four boundaries for the property comprised in survey No.199/1, situated at Karkavayal Village, Pattukottai Taluk, Thanjavur District, on the basis of the application dated 23.06.2010 and 15.12.2016 within a stipulated time period in accordance with law by considering the representation dated 16.11.2021.

For Petitioner : Mr.Senthil Murugan C.,

For R1 and R2 : Mr.S.Shanmugavel

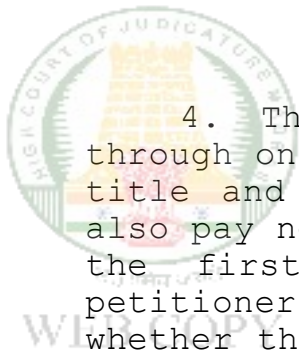
Additional Government Pleader

ORDER

This petition has been filed in the nature of Writ of Mandamus, seeking direction to the respondents / Tahsildar and surveyor of Pattukottai Taluk, Thanjavur District, to conduct survey and mark the four boundaries in S.No.199/1, Karkavayal Village, Pattukottai Taluk, Thanjavur District. The petitioner had given an application on 23.06.2010 and again on 15.12.2016. He had also sent a representation dated 16.11.2021.

2. Heard the learned Counsel for the petitioner and Mr.S.Shanmugavel, Additional Government Pleader who takes notice on behalf of the respondent.

3. Mr.S.Shanmugavel, Additional Government Pleader, brought to the notice of this Court, a document which is a letter given by the petitioner, wherein, he had stated that earlier also he had given an application for conducting survey. The Tahsildar and the Surveyor came to the place and did not conduct survey and went back. The Additional Government Pleader, therefore, stated that the reason for not conducting the survey may be examined. I would rather that a direction be issued to the second respondent / Tahsildar.



4. The petitioner is directed to apply fresh application through online to conduct survey and furnish documents regarding to title and also relevant revenue records. The petitioner should also pay necessary charges. On receipt of such online application, the first respondent / Tahsildar may issue notice to the petitioner, examine the documents of the petitioner, determine whether there are rival claims and anybody else whom the Tahsildar determines are required and anybody who are having objections, issue notice to any such person, thereafter take a decision and such a decision be taken within a period of 12 weeks from the date of receipt of the application. If the Tahsildar decides to conduct survey, then conduct a survey in the manner known to law. If he declines, he must pass an order showing reasons. The petitioner can challenge that order in manner known to law. The fresh online application should be disposed of within a period of 12 weeks from the date of receipt of the application.

5. With this observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Tahsildhar, Pattukottai Taluk,
Thanjavur District.

2. The Surveyor, Pattukottai Taluk, Thanjavur District.

+1 CC to M/s.SPL GP (SR-37390[F] dated 06/12/2021)

W.P (MD) No. 21424 of 2021
03.12.2021