



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22063 of 2022

M.Muniyappan

..Petitioner

Vs

- 1.The Revenue Divisional Officer,
Dindigul Revenue,
Dindigul,
Dindigul District.
- 2.The Inspector of Survey and
Land Records(Maintenance),
Dindigul Revenue,
Dindigul District.
- 3.The Town Sub Inspector of Survey,
Dindigul Corporation,
Dindigul.
- 4.The Taluk Deputy Inspector of Survey,
Dindigul East Taluk,
Dindigul.

..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 2 to 4 to survey the lands situated at T.S.Nos.1489/2, 1489/1F in Dindigul Corporation, Dindigul Town, Ward No.6, Block No.30 and complete the enquiry based on the proceedings of the first respondent in Na.Ka.No.187/2022/A4, dated 17.5.2022 within the time frame stipulated by this Court.



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For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents: Mr.D.Gandhiraj
1 to 4 Special Government Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing respondents 2 to 4 to survey the lands situated at T.S.Nos. 1489/2 and 1489/1F in Dindigul Corporation, Dindigul Town, Ward No.6, Block No.30 and complete the enquiry based on the proceeding of the first respondent in Na.Ka.No.187/2022/A4, dated 17.5.2022 within the time frame stipulated by this Court.

2.Mr.D.Gandhiraj, learned Special Government Pleader takes notice for the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the Petitioner had purchased the properties in T.S.No.1489/2 by way of several sale deeds situated in Dindigul Corporation, Dindigul Town, Ward No.6, Block No.30 and mutation of revenue records has been entered in favour of the Petitioner. The revenue officials without issuing any notice to the land owners of property in T.S.No.1489/2 in Dindigul Corporation, Dindigul Town, Ward No.6, Block No.30 had surveyed the property in T.S.No.1489/1F of the same area. Further, 12 feet road in the said property was encroached upto 752 sq.ft.s and patta has been issued without any extent. Since the



Petitioner and others were affected, they have applied for resurvey of the said survey numbers. During Grievance Day, the Petitioner has filed an appeal before the District Collector and the District Collector had directed the first respondent to conduct necessary survey. The first respondent has not taken any steps for local inspection of the land. Therefore the Petitioner has filed W.P(MD)No.20431 of 2021 to direct the first respondent to conduct the survey which was disposed of on 10.12.2021 directing the first respondent to complete the enquiry. The first respondent conducted the enquiry on 17.5.2022 and directed the second respondent to conduct the survey, who in-turn had issued proceedings, dated 20.7.2022 directing the fourth respondent to conduct the survey. Till date, respondents 2 to 4 never taken any steps to conduct survey of the land as prayed for by the Petitioner. Hence the Petitioner has filed this Writ Petition for the relief stated supra.

3.The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the third respondent will carry out the survey as sought for by the Petitioner, within the time stipulated by this Court.

4.In view of the above submission, this Court directs the third respondent to conduct the survey of the lands in T.S.Nos.1489/2, 1489/1F in Dindigul Corporation, Dindigul Town, Ward No.6, Block No.30



and complete the same, after providing an opportunity of hearing to all the parties concerned, within a period of sixteen weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stand disposed of. No costs.

19.09.2022

Index : Yes/No

Internet: Yes/No

vsn

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V.BHAVANI SUBBAROYAN,J

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