



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 26.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22564 of 2022

S.Manivel

..Petitioner

Vs

1.The Tahsildar,
Musiri Taluk,
Tiruchirappalli.

2.The Inspector of Survey,
Tiruchirappalli.

3.The Taluk Surveyor,
Musiri Taluk,
Tiruchirappalli.

..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 and demarcate the land in S.No.96/2A5 and 96/11B, Musiri West Village, Tiruchirappalli District and fix the boundaries by considering the Petitioner's application, vide payment of Challan dated 26.2.2022 and 27.7.2022 within the time frame fixed by this Court.

For Petitioner :Mr.K.K.Udayakumar

For Respondents :Mr.A.Kannan
Addl.Govt Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondents to survey and demarcate the land in S.No.



96/2A5 and 96/11B, Musiri West Village, Tiruchirappalli District and fix the boundaries by considering the Petitioner's application, vide payment of Challan dated 26.2.2022 and 27.7.2022 within the time frame fixed by this Court.

2.Mr.A.Kannan, learned Addl. Government Pleader takes notice for the respondents. 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 land in S.Nos.96/2A5 and 96/11B, situated at Musiri West Village, Tiruchirappalli District measuring an extent of 1534 ½ sq.ft and 772 sq.ft respectively through registered document in Doc.Nos.2715 of 2018, dated 12.09.2018 from one C.Gunasekaran and subsequently, patta was also issued in his name in patta No.3281 and from that date onwards, the Petitioner was in peaceful possession and enjoyment of the said land. There is a building in S.No.96/2A5 with electricity connection. Whiles, the Petitioner has made an application on 26.02.2022 before the respondents 1 to 3 to survey and demarcate the Petitioner's above land and also paid the requisite fees. Moreover, as per Circular of the Commissioner of Survey and Settlement, dated 15.3.2021, the survey has to be conducted within a period of thirty days from the date of receipt of such application. Since the third respondent failed to conduct the survey,



the Petitioner had approached the second respondent for the said purpose and also paid the necessary fee on 27.7.2022. Even then the respondents failed to conduct the survey as sought for by the Petitioner. Hence, the Petitioner has filed the present Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents submitted that the Petitioner's land will be surveyed and demarcated as sought for by him within the time stipulated by this Court.

5.In view of the above submission, this Court, without going into the merits of the matter, directs the respondents concerned to survey and demarcate the Petitioner's land in S.No.96/2A5 and 96/11B, Musiri West Village, Tiruchirappalli District and fix the four boundaries of the said land by considering the Petitioner's application, vide payment of Challan, dated 26.2.2022 and 27.7.2022, after affording an opportunity of hearing to all the parties concerned and also objections from the objectors, if any, within a period of 12 weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition stands disposed of. No costs.

26.09.2022



Index : Yes/No

Internet: Yes/No

vsn

To

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Tiruchirappalli.
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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

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