



WEB COPY



W.P(MD)No.231

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.23057 of 2022

R.Dhanasekar

..Petitioner

Vs

1.The District Revenue Officer,
Virudhunagar,
Virudhunagar District.

2.The Tahsildar,
Sivagangai Taluk,
Virudhunagar District.

3.The Sub Inspector of Survey,
Sivakasi,
Virudhunagar 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 2nd respondent to issue Survey Report and FMB sketch for the petitioner's property in survey no.1475/3I-1 situated in Duraisampuram Village, Sivakasi Taluk, Virudhunagar District based on survey conducted by the 3rd respondent on 19.07.2022.

1/6



WEB COPY

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For Petitioner

:Mr.R.Murali

For R1 to R4

:Mr.D.Sadiq Raja

Additional Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the second respondent to issue Survey Report and FMB sketch for the petitioner's property in survey no.1475/3I-1 situated in Duraisampuram Village, Sivakasi Taluk, Virudhunagar District based on survey conducted by the 3rd respondent on 19.07.2022.

2.Heard Mr.R.Murali, learned Counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner is in possession and enjoyment of the property having an extent of 1 Hectare 18 Ares comprised in Survey No.1475/3I-1. He made an application for mutation of revenue records before the Tahsildar, Sivakasi. After consideration of previous documents and upon application, the second respondent Tahsildar by proceedings, dated 05.01.2014 ordered name transfer in favour of him for survey No.1475/3I-1. Originally survey No.1475/3I is having an extent of 1 Hectare and 27 Ares, he had purchased 1 Hectare and 18 Ares only. Remaining 9 ares was sold to third parties. Accordingly, the



second respondent sub-divided the property and patta No.820 was granted in favour of him by granting new survey No.1475/3I-1 in respect of his property. Admittedly, there is no dispute in his title or possession. After considering all the documents only, the second respondent granted patta in favour of him and the same is in force as on today. Survey was conducted on 19.07.2022. The grievance of the petitioner is that after the survey was conducted, respondents have to give report to him. Further, the respondents ought to have issue proper Field Map Sketch (FMB) for his property. The respondents have not prepared FMB for the said survey and have not submitted Field Survey Report to him. Hence, the petitioner requested the respondents to issue FMB for his property. In this regard, he approached the respondents in person and submitted a representation dated 20.07.2022. Since, no action has been taken, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents would submit that appropriate direction may be given to the respondents to consider the petitioner's representation in accordance with law, within a time frame.

5. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the second respondent to issue Survey Report and FMB sketch for the petitioner's property in survey No.



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1475/3I-1 situated in Duraisampuram Village, Sivakasi Taluk, Virudhunagar District based on the survey conducted by the third respondent on 19.07.2022 based on the petitioner's representation dated 20.07.2022 by collecting necessary fees from the petitioner, within a period of two (2) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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