



W.P(MD)No.251

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25023 of 2022

S.Pandi

..Petitioner

Vs

- 1.The District Collector,
District Collectorate Office,
Sivagangai Town,
Sivagangai District.
- 2.The District Revenue Officer,
District Collectorate Complex,
Sivagangai Town,
Sivagangai District.
- 3.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam,
Sivagangai District.
- 4.The Head Surveyor,
Tahsildar Office,
Thiruppuvanam Taluk,



Thiruppuvanam,
Sivagangai District.

W.P(MD)No.251



..Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 3 and 4 to consider the petitioner's representation, dated 16.08.2022 as regarding to survey the house site and issue the field map also in survey No.145/4A1A5 in Patta No.1169 that property was located at Puliur Village, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner

:Mr.K.Suresh

For Respondents

:Mr.D.Gandhiraj

Special Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the respondents 3 and 4 to consider the petitioner's representation, dated 16.08.2022 regarding to survey the house site and issue the field map also in survey No.145/4A1A5 in Patta No. 1169 that property was located at Puliur Village, Thiruppuvanam Taluk, Sivagangai District.

2.Heard Mr.K.Suresh, learned Counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents.



W.P(MD)No.251

WEB COPY

3.The learned counsel appearing for the petitioner would submit that originally the petitioner's father namely Late. Subramani purchased the property viz., registered sale deed No.1182, dated 13.06.1998. It is the self acquired property. During his life time, he decided to arrange the settlement deed in favour of the petitioner. Hence, settlement deed was executed in favour of the petitioner under registered sale deed No.2204, dated 06.07.2018. From that date onwards the petitioner is in possession and enjoyment of the property. The petitioner approached the respondents 3 & 4 for surveying the house site and to issue the field-Map regarding sub-division survey No.145/4A1A5 in Patta No.1169 and they did not taken any steps. Thereafter, the petitioner has sent a representation to the respondents on 16.08.2022 and he has also paid E-Chellan survey amount of Rs.2,000/- in favour of the fourth respondent, but no action was taken to survey the above said land. Hence, the petitioner has approached this Court by way of filing the present writ petition for the above said relief.

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



W.P(MD)No.251

WEB COPY

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 the respondents to consider the application of the petitioner, dated 16.08.2022 and after issuing notice to the parties concerned and thereafter conduct survey in their presence and demarcate the land in Survey No.145/4A1A5 in Patta No.1169, situated at Puliur Village, Thiruppuvanam Taluk, Sivagangai District and issue the field-Map after payment of fees and pass orders in accordance with law. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. The respondents are directed to survey what is the land available on records and the petitioner can accept the sane and cannot claim more than that.

6.This Writ Petition stands disposed of with the above directions. No costs.

Index : Yes/No
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W.P(MD)No.25

WEB COPY

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W.P(MD)No.25

V.BHAVANI SUBBAROYAN, J.

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