



W.P.(MD)No.25503 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.25503 of 2022

A.Sundarapandian

.. Petitioner

Versus

1.The Tahsildar,
Ottapidaram Taluk,
Tuticorin District.

2.The Taluk Surveyor,
Ottapidaram Taluk Office,
Thoothukudi District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to survey the petitioner's land comprised in S.Nos.396/1 and 398/4, situated at Swaminathan Village, Ottapidaram Taluk, Thoothukudi District, measuring an extent of 41 Cents and 1 Acre and 92 cents and fix the boundaries on the basis of the petitioner's representations, dated 17.08.2021 and 27.10.2022.

For Petitioner : Mr.P.Banuprasath

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing

the respondents to survey his land, comprised in S.Nos.396/1 and 398/4,



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situated at Swaminathan Village, Ottapidaram Taluk, Thoothukudi District, measuring an extent of 41 Cents and 1 Acre and 92 cents and fix the boundaries on the basis of his representations, dated 17.08.2021 and 27.10.2022.

2. Heard Mr.P.Banuprasath, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, his father purchased the property, measuring an extent of 41 cents and 1 Acre and 92 Cents, situated at S.Nos. 396/1 and 398/4, Saminatham Village, Ottapidaram Taluk, Tuticorin District, from one Ayyamperumal Nadar, S/o.Thangavel Nadar @ Subbaiah Nadar, vide sale deed, bearing Document No.1334 of 1973, dated 09.08,1973. After demise of the petitioner's father and mother, the petitioner is in possession and enjoyment of the property and mutations were made in the Revenue Records. Subsequently, the petitioner made an application for issuance of joint Patta and the first respondent issued Joint Patta No.1340. In order to protect his properties, he wants to fence the same and for the said purpose, the petitioner submitted an application for survey the properties before the respondents on

<https://www.mhc.tn.gov.in/qr> 17.08.2021 along with requisite fees. Thereafter, the second respondent issued



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a notice dated 23.09.2021 to the petitioner and the adjacent land owners, fixing the date for survey on 23.09.2021 and on the said date, the survey was not conducted. Hence, the petitioner sent another representation dated 27.10.2022, to the respondents along with a copy of Patta and payment receipts. However, the same has not been considered so far. Therefore, 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 submitted that the petitioner's property would be measured and demarcated, based on his representations, dated 17.08.2021 and 27.10.2022, after issuing notice to all the necessary parties concerned, within a time frame.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to measure the property in question and demarcate the boundaries, based on the representations of the petitioner, dated 17.08.2021 and 27.10.2022, after issuing notice to all the necessary parties concerned, within a period of six weeks from the date of receipt of a copy of this order.



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WEB COPY 6. This Writ Petition stands disposed of with the above direction. No

costs.

Index : Yes/No
smn2

10.11.2022

To

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Ottapidaram Taluk,
Tuticorin District.
- 2.The Taluk Surveyor,
Ottapidaram Taluk Office,
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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