



W.P(MD)No.5482 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5482 of 2023

P.Thangavelu

... Petitioner

Vs.

- 1.The Director of Survey and Land Records,
Survey House,
Chepauk,
Chennai.
- 2.The District Revenue Officer
Pudukkottai District,
Pudukkottai.
- 3.The Assistant Director of Survey,
Survey and Land Records Department Office,
Pudukkottai.



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4.The Head Surveyor
Karambakudi,
Pudukkottai District.

5.The Circle Deputy Inspector (Land Survey),
Thasildar Office,
Karambakudi,
Pudukkottai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents by realigning S.No.72/22G situated in Karambakudi Village, Pudukkottai District in the Field Measurement Book of S.No.72 and join the said property with S.No.72/22D, 72/22F and S.No.72/24F in Karambakudi Village, Pudukkottai District, based on the petitioner's representation dated 05.12.2022.

For Petitioner : Mr.C.Vakeeswaran

For Respondents : Mr.D.S.Nedunchezhan,
Government Advocate



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ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction primarily against the first respondent to realign Survey No.72/22G in Karambakudi Village, Pudukkottai District in FMB relating to Survey No.72 and join the said property with Survey Nos.72/22D, 72/22F and 72/24F in Karambakudi Village, Pudukkottai District.

2. In the affidavit filed in support of the writ petition, it had been stated that the father of the petitioner, Palani, had purchased the aforementioned property on 31.01.1966 in Survey No.72/1B measuring 6 cents out of a larger area of 52 cents. He then purchased further property of 3 cents out of the said larger area of 52 cents again in Survey No.72/1B on 14.11.1975. The petitioner, had purchased the land measuring 3 cents on 02.03.1981 in Survey No.72/22. There was an internal arrangement of that particular land to the name of the wife of the petitioner.



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3. The petitioner purchased further lands on 04.09.2000 in Survey No.72/22 measuring 1167 square feet. He then entered into a sale agreement with respect to further land of two cents in Survey No.72/22 and claims that possession has been handed over. The petitioner claims that he is in possession of all the aforementioned lands and has also constructed a house. All the lands are adjacent to each other. There was some space left behind two houses which he had put up. That particular space, according to the learned counsel for the petitioner, is now tried to be used as a pathway by third parties for approaching their particular house, which is on the other side. Therefore, the petitioner had given a representation on 05.12.2022 seeking realignment.

4. The entire issue will have to be examined only by the first respondent and in this connection, he may obtain necessary report from the third /fifth respondents who may also take the assistance of the fourth respondent. But at any rate, it would only be appropriate that notice is issued not only to the petitioner herein, but the records are also obtained from the revenue authorities and thereafter, a considered decision is taken by the first respondent not only based on the representation given



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by the petitioner, but also on the basis of the records and more specifically, on the basis of the reports from the third / fifth respondents who may get further report from the fourth respondent. The entire exercise by the first respondent may be completed within a period of twelve weeks from the date of receipt of a copy of this order.

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

06.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

RM



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C.V.KARTHIKEYAN, J.

RM

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