



W.P(MD)No.8826 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8826 of 2023

M.Karuppaiah

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kadaladi taluk,
Ramanathapuram District.

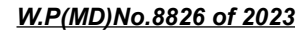
3.The Head Surveyor,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 and 3 to survey the land having extent of 46 cents comprised in survey 45/12 at Peikulam Village, Kadaladi Taluk, Ramanathapuram District on the basis of the petitioner's representation dated 01.03.2023.

For Petitioners : Mr.M.Muniyasamy

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader



The writ petition has been filed in the nature of Mandamus seeking a direction against the second and third respondents, Tahsildar and Head Surveyor of Kadaladi Taluk, Ramanathapuram District, to survey the land in Survey No.45 /12 at Peikulam Village, Kadaladi Taluk, Ramanathapuram District.

2. The petitioner had given a representation in this regard. As a matter of fact, a perusal of the records shows that the respondent had also issued notice on 28.12.2022, for an enquiry and in that notice they had also mentioned the names of Muthu Thevar S/o.Krishnan Thevar, Gomathi, W/o. Govindaraj, Prabhavathi, W/o.Ashokraja and Manikkam,S/o. Azhagarsami.

3. Learned counsel for the petitioner states that they are adjacent land owner. Learned Special Government Pleader points out that the boundaries of the lands of the petitioner are Oorani and Vaaikkal.

4. In the sale deed of the petitioner, the petitioner had stated that he owns 46 cents, wherein according to the FMB, the area is only 40 cents. All these



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factors may be kept in mind by the Tahsildar and if any survey is conducted, it should be done excluding the Oorani and Vaaikkal. Care must be taken for that particular purpose. The Tahsildar may also take care to issue notice to the aforementioned named individuals and in their presence, in accordance with the revenue records, survey the lands. If there are objections, the Tahsildar may give reasons as to why he could not conduct survey of the lands and file necessary report in that regard. This exercise of either conducting survey or filing a report indicating reasons for not conducting survey must be completed within a period of eight weeks from the date of receipt of a copy of this order. The Tahsildar may also examine whether the petitioner had paid necessary charges and if not collect the same from the petitioner.

5. This Writ Petition is disposed of. No costs.

18.04.2023

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

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To

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Ramanathapuram.
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Ramanathapuram District.
- 3.The Head Surveyor,
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C.V.KARTHIKEYAN, J.

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