



WP(MD)No.16005 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.16005 of 2023

Maththi Prabakaran

... Petitioner

Vs

1.The Surveyor,
Alangudi Surveyor Office,
Alangudi,
Pudukottai District.

2.The Tahsildar,
Alangudi,
Pudukottai 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 first respondent to survey and mark the four boundaries of the property situate to an extent of Survey No.443/1A total extent 2 acres & 87 cents and 444/1A2 total extent 2 acres and 1 cent situate in Pudukottai Viduthi Village, Alangudi Taluk, Pudukottai District.



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For Petitioner : Mr.N.Kamesh

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The petitioner has approached the respondents by way of a representation dated 20.06.2023 to survey his land in Survey Nos. 443/1A and 444/1A2 situate in Pudukottai Viduthi Village, Alangudi Taluk, Pudukottai District. The representation of the petitioner was not considered by the respondents. Hence, this petition.

2.Today(04.07.2023), when this writ petition is taken up for admission, the learned Special Government Pleader appearing for the respondents on written instructions, which she received from the Tahsildar, Alangudi submits that the land in Survey Nos. 443/1A and 444/1A2 are now re-classified as 443/1A1A, 1A1C, 444/1A2A and a joint patta was issued in favour of one Michael and one Sesuraj, who are the sons of Savarimuthu Udayar. Since a joint patta has been issued



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for the subject lands and the petitioner alone, who is the son of Michael Udayar has approached the respondents for measuring the lands, the petitioner's representation has not been considered on the ground that the petitioner has not submitted the legal heir Certificate or a partition deed, if any made with regard to the subject property.

3.In reply, the learned counsel for the petitioner submits that there is no dispute among the family members and he is prepared to produce the legal heir certificate along with the details of property, which has been allotted to the petitioner before the respondents.

4.Considering the submissions made on either side, this writ petition is disposed of with a direction to the petitioner to produce the legal heir certificate and other relevant documents before the respondents within a period of eight weeks from the date of receipt of a copy of this order. On receipt of such documents, the respondents shall



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conduct the survey as per the procedure within a period of four weeks from thereon. No costs.

04.07.2023

NCC : Yes / No.
Index : Yes / No.
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To

1.The Surveyor,
Alangudi Surveyor Office,
Alangudi,
Pudukottai District.

2.The Tahsildar,
Alangudi,
Pudukottai District.



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B.PUGALENDHI, J.

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Order made in
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04.07.2023