



W.P.(MD).No.17789 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **24.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.17789 of 2023

R.Bagavathi

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Palani,
Dindigul District.

2.The Tahsildar,
Ottanchatram Taluk,
Dindigul District.

3.The Taluk Head Surveyor,
Ottanchatram Taluk,
Dindigul District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to upload the survey records of the Special Tahsildar subdividing survey No.476 into 476/1, 476/4, 476/3C1, 476/3C2 and 476/3D made in Na.Ka.No.460/2014/A2 dated 04.05.2018 or enter the same manually and survey the petitioner's property as per his title deeds vide Doc.No.



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1356/1995 and Doc.No.4155/2022 by causing physical survey, demarcation and fixing boundaries after hearing the persons who are likely to be affected thereby issue patta in favour of the petitioner in Survey No.476/3C to the extent of land he is entitled to within such time.

For Petitioner : Mr.Joseph Thatheus Jerome

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

ORDER

The writ petitioner claims that he is the owner of the land in Survey No.476/3C measuring an extent of 22 cents situated in Thangachiyampatti Village, Ottanchatram Taluk, Dindigul District. Originally, the said land belonged to his grandmother and his grandmother has settled the same in favour of his father by way of a registered Document No.1356 of 1995 in the year 1995. Thereafter, the land was settled in favour of the petitioner by his father vide Document No.4155 of 2022 on 06.12.2022. A portion of the land in Survey No.476/3C was already acquired by the Highways Department for widening the highway. The Special Tahsildar vide proceedings in Na.Ka.No.406/2014/A2 dated 04.05.2018 had subdivided the land in



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Survey No.476/3C into 3C1, 3C2 and 3D. According to the petitioner, the lands in Survey Nos.3C2 and 3D have been acquired for the purpose of widening the road. However, the same has not been uploaded in the revenue records and in the village map. Therefore, the petitioner's father has submitted an application before the respondents for demarcating the property and fixing the boundaries on 17.03.2021. Since survey has not been conducted by the Revenue Officials, the petitioner has also made an application to the second respondent on 05.07.2023. However, the second respondent has not taken any action so far. Hence, the present writ petition has been filed.

2. The learned counsel appearing for the petitioner has relied on a similar request made by one of the joint pattadhars in W.P(MD).No.16113 of 2020 for survey and demarcating the properties in Survey No.476/3, situated at Thangachiyampatti Village, Ottanchatram Taluk, Dindigul District and this Court, vide order, dated 18.11.2020 directed the respondents therein to consider the representation of the petitioner therein and survey the property. Even thereafter, the respondents have not taken any steps for surveying the lands.



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3. The learned Special Government Pleader appearing for the respondents, on instructions, submits that the respondents are taking steps for surveying the lands and it would be completed within a period of 12 weeks.

4. In view of the submission made by the learned Special Government Pleader appearing for the respondents, this Writ Petition is disposed of, with a direction to the first respondent to demarcate the petitioner's property by conducting survey and fix the boundaries within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

24.07.2023

Index: Yes/No
Internet: Yes/No
ssb



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B.PUGALENDHI, J.

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