



W.P(MD)No.30326 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30326 of 2023

Vivek

... Petitioner

Vs.

The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to survey and demarcate the boundaries of the Nilaviyal Pathai in Survey No. 58/6A, 58/2, 61/1B2, 60/1 and 58/4B, Kulavaipatti Revenue Village, Pudukkottai Taluk, Pudukkottai district leading to the petitioner's property in Survey No. 60/1 of the said village within a time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondent : Mr.C.Satheesh
Government Advocate

ORDER

Heard both sides.



W.P(MD)No.30326 of 2023

WEB COPY

2. I have been consistently holding that if the applicant has patta, he can ask for conducting survey for the same. However, a departure will have to be made when the petitioner raises the question of access to his agricultural land. If according to the petitioner, there is a pathway or cart track leading to his land, the petitioner can always call upon the jurisdictional Tahsildar to earmark the same. The petitioner is permitted to submit a proper application before the respondent and Tahsildar is directed to pass order on the petitioner's representation. The said order will have to take clear and categorical stand. It will have to clarify if there is any cart track leading to the petitioner's land. If that be so, the terminal point and the manner in which the cart track is leading to the petitioner's land will also be specified. The said order should also be enclosed by the survey sketch. Before passing an order, the Tahsildar will have to put all the interested persons on notice. This entire exercise shall be completed by the respondents within a period of four months from the date of submission of the representation by the petitioner. I make it clear that I have not gone into the merits of the matter.

3. The Writ Petition is disposed of accordingly. No costs.

20.12.2023

Index : Yes / No
Internet : Yes/ No
rmi



W.P(MD)No.30326 of 2023

WEB COPY

To
The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.



WEB COPY



W.P(MD)No.30326 of 2023

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.30326 of 2023

20.12.2023