



WEB COPY

W.P.No.6374 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6374 of 2024

N.Nirmal Kumar

... Petitioner

Vs.

1. The Tahsildar
Kallakurichi Taluk
Kallakurichi, Kallakurichi District

2. The Head Surveyor
Office of the Tahsildar
Kallakurichi, Kallakurichi 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 forthwith survey and fix the boundaries for the property of the petitioner measuring 1 Acre and 29 Cents in old Survey No.126/2, New Survey No.126/2A1 at Porpadakurichi Village, Kallakurichi Taluk, Kallakurichi District, based on the application of the petitioner dated 16.06.2023.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.A.Selvendran
Special Government Pleader



ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents to forthwith survey and fix the boundaries for the property of the petitioner measuring 1 Acre and 29 Cents in old Survey No.126/2, New Survey No.126/2A1 at Porpadakurichi Village, Kallakurichi Taluk, Kallakurichi District, based on the application of the petitioner dated 16.06.2023.

2. The case of the petitioner is that he made an application to survey his land and also paid the requisite fees on 16.02.2023. However, so far, the respondents have not conducted the survey. Hence, the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Additional Government Pleader takes notice for the respondents.

4. Having regard to the submissions made by the learned counsel on either side and since the Writ Petition is filed seeking a simple Writ of Mandamus to survey the land, this Court without expressing any opinion with



regard to the merits of the case, directs the 1st respondent to consider the petitioner's application dated 16.06.2023 and issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property, interested parties/rival claimants/aggrieved parties/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law. After conducting enquiry, if there is no other legal impediment and if the petitioner is otherwise eligible, the 1st respondent shall conduct the survey in the subject land with the help of the 2nd respondent. All the said exercises shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

13.03.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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To

1. The Tahsildar
Kallakurichi Taluk
Kallakurichi, Kallakurichi District

2. The Head Surveyor
Office of the Tahsildar
Kallakurichi, Kallakurichi District



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P.VELMURUGAN. J.

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