



WEB COPY



W.P.No. 33370 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.11.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 33370 of 2024

Komala

...Petitioner

V.s

1.The Tahsildar,
Denkanikottai,
Krishnagiri District.

2.The Taluk Surveyor,
Denkanikottai,
Krishnagiri District.

3.The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

...Respondents

Prayer: Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 and 2 to survey the land in Survey No.358/7 to the total extent of 0-16.00 hectares at Komaranapalli Village, Denkanikottai, Krishnagiri District along with the aid of the 3rd respondent within the time frame fixed by this Court.



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For Petitioner : Mr.J.Pradeep

For Respondents

1 and 2 : Mr. R.P.Murugan Raja
Government Advocate

For Respondent-3 : Mr.R.Vinoth Raja
Government Advocate(Crl.Side)

ORDER

Challenging the refusal to survey the suit property, the petitioner is before this Court.

2. It is the case of the petitioner that his mother had executed a gift deed in his favour, registered as document No. 221 of 2017. Now, he is the absolute owner of the property comprised in Survey No. 358/7, measuring a total extent of 0.16 hectares, situated at Komaranapalli Village, Denkanikottai, Krishnagiri District. The petitioner has also obtained patta, based on which he made an application to the respondents to measure the property, by paying the necessary fees. However, the survey has not been conducted to date. Hence, the petitioner is before this Court.



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3. Heard the learned counsels on the either side and perused the records.

4. Considering the facts and circumstances of the case, a mandamus is issued to the respondents to conduct a survey of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

18.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn



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To,

1.The District Collector,
Ranipet District.

2.The Tahsildar,
Kalavai Taluk,
Ranipet District.

3.The Head Surveyor,
Kalavai Taluk,
Ranipet District.



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P.T.ASHA, J.,

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