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W.P.No.35924 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.35924 of 2024

M.Chinnapillai

...Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Krishnagiri District - 635 115.
2. The Tahsildar,
Uthangarai Tahsildar Office,
Police Station Road,
Uthangarai Taluk,
Krishnagiri District - 635 207.
3. The Head Surveyor,
Uthangarai Taluk Office,
Krishnagiri District - 635 207.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the second respondent to dispose of the application of the petitioner dated 16.02.2023 and consequently direct the third respondent to survey and demarcate the petitioner's property bearing Survey No.248/1A1 with an extent of 3,925 sq.ft., (364.78 sq.mtr) in Anandur Village, Uthangarai Taluk, Krishnagiri District.



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For Petitioner : Mr. B.Pachaiyappan
For Respondents : Mr. M.R.Gokul Krishnan
Additional Government Pleader

ORDER

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

2. The petitioner purchased the suit property vide sale deed dated 21.04.2014, registered as document No.980 of 2014 on the file of the Sub Registrar, Pochampalli. The petitioner submitted an application dated 16.02.2023 seeking survey of the property in survey no.248/1A1 and the same has not been considered till date. Therefore, the petitioner is before this Court.

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



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4. Considering the facts and circumstances of the case, mandamus is issued to the respondents to conduct 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 and subdividing 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 6 weeks from the date of receipt of a copy of this order.

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

18.12.2024

Index : Yes/No
Internet : Yes/No
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P.T. ASHA, J,

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To

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