



WP.No.34349 of 2024

In the High Court of Judicature at Madras

Dated : 28.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34349 of 2024

1.M.Sathya

2.M.Logeswari

...Petitioners

Vs

1.The District Collector, Office
of the Collectorate, Krishnagiri
District-635115.

2.The Tahsildar, Uthangrai
Taluk Office, Police Station
Road, Uthangarai Taluk,
Krishnagiri District-635207.

3.The Head Surveyor,
Uthangarai Taluk Office,
Krishnagiri District-635207.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to dispose of the application of the petitioners dated 03.5.2023 and consequently direct the third respondent to survey and demarcate the properties of the petitioners in patta Nos.165 and 239 bearing survey Nos.26/1A with an extent of 1.10 acres and 26/1B1 (old survey No.26/1B) with an extent of 2.45 acres in Papparapatti (Sulakarai) Village, Uthangarai Taluk, Krishnagiri District.



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For Petitioners : Mr.B.Pachaiyappan
For Respondents : Mr.P.Sathish, AGP

ORDER

Seeking a Mandamus to the second respondent to dispose of the application dated 03.5.2023 submitted by the first petitioner for surveying and demarcating their properties in patta Nos.165 and 239 bearing survey Nos.26/1A with an extent of 1.10 acres and 26/1B1 (old survey No.26/1B) with an extent of 2.45 acres in Papparapatti (Sulakarai) Village, Uthangarai Taluk, Krishnagiri District, the petitioners are before this Court.

2. Heard the learned counsel for the petitioners and the learned Additional Government Pleader accepting notice for the respondents.

3. The petitioners would contend that they purchased the said properties under a registered sale deed dated 21.12.2011 vide doc.No. 5543 of 2011 on the file of the Sub-Registrar, Uthangarai. After purchase, they are in joint possession and enjoyment of the same without any hindrance. The revenue records were also mutated in their names. For the purpose of conducting a survey and demarcate the boundaries, the first petitioner made the aforesaid application to the



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second respondent for surveying and demarcating the property.

Despite the fact that the said application was received on 03.5.2023, the second respondent has not taken any steps to survey the land.

4. The fact that the said properties belong to the petitioners is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioners acquired the said properties by purchase, the first petitioner requested the second respondent for surveying and demarcating the same.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second respondent to conduct survey of the said properties. The petitioners shall submit all the relevant records to show their title to the said properties and the second respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying and fixing the boundaries or rejecting the request. In the case of 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. No costs.



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P.T.ASHA,J

RS

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