



WEB COPY



W.P.No.34192 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34192 of 2024

Boopathi Sundaram

.... Petitioner

Vs

1.The Tahsildar,
Kangayam Taluk,
Kangayam, Tiruppur District.

2.The Taluk Surveyor,
Taluk Office Kangayam,
Tiruppur District.

3.Sasikumar

.... Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 1st respondent to measure the petitioner's land situated in R.S.No.221/3, (Old S.No.149/3) patta No.220 Nathakadaiyur Village, Kangayam Taluk, Tiruppur District, to the extent of 1.58 acres by disposing the written representation made by the petitioner on 16.8.2024.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.G.Velu

Additional Government Pleader



WEB COPY



W.P.No.34192 of 2024

ORDER

This Writ Petition is filed for the following relief :

Praying to direct the 1st respondent to measure the petitioner's land situated in R.S.No.221/3, (Old S.No.149/3) patta No.220 Nathakadaiyur Village, Kangayam Taluk, Tiruppur District, to the extent of 1.58 acres by disposing the written representation made by the petitioner on 16.8.2024.

2. The petitioner claims right to the property on the basis of a decree for specific performance granted in his favour by the Sub Court, Kangeyam in O.S.No.241 of 2020, dated 04.09.2023. After the execution of the sale deed by the Court, he had made an attempt to register the sale deed before the Sub Registrar, Kangeyam. But the Sub Registrar insisted upon the petitioner giving the correct particulars and measurements of the land. The petitioner had approached the respondents 1 and 2 and made a representation before the first respondent with the requisite challan for survey and measurement. However, the same has not been done, constraining the petitioner to approach this Court.



W.P.No.34192 of 2024

3. Considering the facts and circumstances of the case, a mandamus is issued to the first respondent 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 1st respondent 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 8 weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is allowed. No costs.

15.11.2024

Index : Yes/No
Internet : Yes/No
Lpp

To
1.The Tahsildar,
Kangayam Taluk,
Kangayam, Tiruppur District.



WEB COPY

2.The Taluk Surveyor,
Taluk Office Kangayam,
Tiruppur District.



W.P.No.34192 of 2024

P.T.ASHA, J,

Lpp

W.P.No. 34192 of 2024

15.11.2024