



WEB COPY



WP.No.34843 of 2024

In the High Court of Judicature at Madras

Dated : 26.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34843 of 2024

P.Vinoth Kumar

Vs

...Petitioner

- 1.The District Collector,
Krishnagiri District.
- 2.The Tahsildar, Bargur Taluk
Office, Bargur Taluk,
Krishnagiri District.
- 3.The Head Surveyor, Bargur
Taluk Office, Bargur Taluk,
Krishnagiri District.
- 4.The Superintendent of
Police, Krishnagiri District.
- 5.The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 to 3 to dispose of the application survey challan No.2024/0123/31/004536 filed by the petitioner dated 13.8.2024 by surveying the petitioner's



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land, measure his property and fix boundaries in survey Nos.280/2, 281/6, 282/1, 282/9 and 283/5 in Sigarapalli Village, Bargur Taluk, Krishnagiri District in accordance with law.

For Petitioner : Mr.S.Ramajayam
For R1 to R3 : Mr.A.Selvendran, SGP
For R4 & R5 : Mr.R.Vinoth Raja, GA (Crl.Side)

ORDER

Seeking a direction to respondents 1 to 3 to consider his application dated 13.8.2024 to conduct a survey in respect of the land in survey Nos.280/2, 281/6, 282/1, 282/9 and 283/5 in Sigarapalli Village, Bargur Taluk, Krishnagiri District and fix its boundaries, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader accepting notice for respondents 1 to 3 and the learned Government Advocate accepting notice for respondents 4 and 5.

3. The petitioner would contend that he acquired the said property measuring an extent of 0.81 1/4 acres from one Mr.Chakravarthi and his minor daughters by way of a registered sale



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deed dated 29.7.2024 vide Doc.No.3297 of 2024 on the file of the Sub-Registrar, Bargur for a valid sale consideration. He has also been issued with patta No.5196. The revenue records were also mutated in his name. The petitioner is in possession and enjoyment ever since the date of purchase. As there had been some intervention by the petitioner's neighbours for measuring the said property, the petitioner made an application on 13.8.2024 applied to the second respondent seeking to conduct a survey in respect of the said property and fix the boundaries. The petitioner also paid the necessary charges. As it did not evoke any response, the petitioner is before this Court.

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner acquired the said property by way of a registered sale deed, he requested the second respondent to conduct a survey and fix the boundaries.

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 property. The petitioner shall submit all the relevant records to show his title to the said property and the second respondent shall, after issuing notice to the



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adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying and subdividing the said property and fixing its boundaries 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 eight weeks from the date of receipt of a copy of this order. No costs.

26.11.2024

To

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RS



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