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WP.No.34428 of 2024

In the High Court of Judicature at Madras

Dated : 19.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34428 of 2024

M.Sengottaiyan

...Petitioner

Vs

1.The District Collector, Office
of the Collectorate, Namakkal
District-637205.

2.The Tahsildar, Tiruchengode
Taluk Office, Tiruchengode
Taluk, Namakkal District.

3.The Head Surveyor,
Tiruchengode Taluk Office,
Tiruchengode Taluk,
Namakkal District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to dispose of the application of the petitioner dated 04.10.2024 and consequently direct the third respondent to survey and demarcate the property in patta No.89 bearing new survey No.40/1B, old survey No. 40/1 with an extent of 2 acres 13.5 cents in Mandagapalayam Village, Tiruchengode Taluk, Namakkal District.



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For Petitioner : Mr.B.Pachaiyappan
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the third respondent to dispose of the application submitted by the petitioner for surveying and demarcating his property measuring an extent of 2 acres and 13.5 cents comprised in new S.No.40/1B, old S.No.40/1, patta No.89, Mandapalayam Village, Tiruchengode Taluk, Namakkal District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The petitioner would contend that his father purchased the property under a registered sale deed dated 30.1.1962 and on the demise of his father, he inherited the property and therefore, sought for mutation of the revenue records and for the issuance of patta to him. For this purpose, he also made the aforesaid application for surveying and demarcating the property. Despite the fact that the application was received on 04.10.2024, the third respondent has not taken any steps to survey the land.



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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 inherited the property, he requested the third respondent to issue patta, for which purpose, he also sought for surveying and demarcating the land.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the third 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 third 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 6 weeks from the date of receipt of a copy of this order. No costs.

19.11.2024

RS



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P.T.ASHA,J

RS

To

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Taluk Office, Tiruchengode
Taluk, Namakkal District.
- 3.The Head Surveyor,
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