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WP.No.36496 of 2024

In the High Court of Judicature at Madras

Dated : 09.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36496 of 2024

Chinnadurai

...Petitioner

Vs

1. The Tahsildar
Chinnasalem Taluk Office
Kallakurichi District.

2. The Head Surveyor
Chinnasalem Taluk Office
Kallakurichi District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1 & 2 respondents to survey and fix the boundaries of the property situated at Karadichitoor Village, Chinnasalem Taluk, Kallakurichi District subjected to Aa Pu Sa. Survey No.58/4A1 (New Survey No.58/4A1B) with an extent of 17 cents of land within a stipulated time frame fixed by this Court.

For Petitioner : Mr.S.J.Raja Janakiraman
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a direction to the first respondent to conduct a survey and fix boundaries in respect of the property in Survey No.58/4A1, New Survey No.58/4A1B measuring 17 cents situated at Karadichitoor



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Village, Chinnasalem Taluk, Kallakurichi 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 case of the petitioner is that the said property was purchased by him from one Mr.Ramadoss by way of a sale deed dated 11.1.2022 registered as doc.No.135 of 2022 on the file of the Sub-Registrar, Vadakkananthal for a valid sale consideration. After purchase, he has been in possession and enjoyment of the said property. The revenue records were also mutated in his favour. Thereafter, the petitioner made an online application on 28.2.2024 to the first respondent for conducting a survey in respect of the said property and fix its boundaries. He also paid necessary charges. As it did not evoke any response, the writ petition has been filed.

4. The fact that the said property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner purchased the said property, he requested the first respondent to conduct a survey and demarcate its boundaries.



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5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to conduct a survey in respect of the said property. The petitioner shall submit all the relevant records to show his title to the said property and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying the said property and demarcating its 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.

09.12.2024

To

1. The Tahsildar
Chinnasalem Taluk Office
Kallakurichi District.

2. The Head Surveyor
Chinnasalem Taluk Office
Kallakurichi District.

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