



WP.No.38152 of 2024

In the High Court of Judicature at Madras

Dated : 20.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38152 of 2024

Masilamani

...Petitioner

Vs

1.The District Collector,
Tirupattur District.

2.The Tasildar, Natrampalli
Taluk, Tirupattur District.

3.The Taluk Surveyor,
Natrampalli Taluk,
Tirupattur District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to survey the land admeasuring 2 acres comprised in S.No.9/1A situated at Kothur Village, Natrampalli Taluk, Tirupattur District and also direct the respondents to subdivide the same.

For Petitioner : Mr.R.Rajarajan
For Respondents : Mr.S.Jayachandran, GA

ORDER



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Seeking a Mandamus to the second respondent to conduct a survey and subdivide the property measuring 2 acres in S.No.9/1A, Kothur Village, Natrampalli Taluk, Tirupattur District, the petitioner is before this Court.

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

3. The petitioner would contend that he acquired the said property by way of sale deed dated 27.11.2008 registered as doc.No. 1987 of 2008 on the file of the Sub-Registrar, Natrampalli. The patta was also issued in his favour. When the erstwhile owners of the said property attempted to trespass into the said property through their daughter, the petitioner filed a civil suit in O.S.No.201 of 2009 on the file of the Principal District Munsif Court, Tirupattur seeking a decree for permanent injunction. The said suit was decreed on 27.4.2015 as confirmed by judgment and decree dated 08.3.2024 in S.A.No.205 of 2020 on the file of this Court. Thereafter, the petitioner made an online application dated 19.7.2024 to the second respondent seeking to conduct a survey and subdivide the said property by paying necessary charges. However, no action has been taken on that. Hence the writ petition.



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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 purchased the said property, he requested the second respondent to conduct a survey and subdivide the said property.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the online application of the petitioner dated 19.7.2024 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 second respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying and subdividing the said property 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 8 weeks from the date of receipt of a copy of this order. No costs.

20.12.2024

RS



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P.T.ASHA,J

RS

To

- 1.The District Collector,
Tirupattur District.
- 2.The Tasildar, Natrampalli
Taluk, Tirupattur District.
- 3.The Taluk Surveyor,
Natrampalli Taluk,
Tirupattur District.

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