



W.P.(MD)No.384 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 09.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.384 of 2024

Jahir Hussain

...Petitioner

/Vs./

1.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

2.The Taluk Surveyor,
Kulathur Taluk,
Pudukkottai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to measure the petitioner's land measuring to an extent of 1 acre 04 cent comprised in S.F.No.257/5 situated at Keeranur Village, Kulathur Taluk, Pudukkottai District within the reasonable time to be stipulated by this Court.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Ms.S.Jeyapriya

Government Advocate



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ORDER

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This writ petition has been filed for issuance of writ of mandamus directing the respondents 1 and 2 to measure the petitioner's land measuring to an extent of 1 acre 04 cent comprised in S.F.No.257/5 situated at Keeranur Village, Kulathur Taluk, Pudukkottai District within the reasonable time to be stipulated by this Court.

2. According to the petitioner, the subject property is an ancestral property and the petitioner is in possession and enjoyment of the same for the past 25 years. A joint patta was issued in the name of his father and his father's brother. While that being so, some of the neighbours tried to trespass into the subject property and hence, the petitioner made an application for survey and subdivision of the subject property. The petitioner has also paid necessary fee for the same. The petitioner also sent a representation to the respondents in this regard. Since no action has been taken by the respondents, this writ petition has been filed.

3. The learned Government Advocate appearing for the respondents submits that the petitioner's land can be measured only after issuing notice to all the neighbours concerned.



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4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. Considering the above facts and circumstances of the case, this Court directs the respondents to conduct survey of the subject property by considering the application made by the petitioner dated 07.02.2022, in the presence of the petitioner and any other necessary party, whom the respondents deem fit to put on notice within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

09.01.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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V.BHAVANI SUBBAROYAN, J.

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TO:-

- 1.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.
- 2.The Taluk Surveyor,
Kulathur Taluk,
Pudukkottai District.

Order made in
W.P(MD)No.384 of 2024

Dated:
09.01.2024