



WEB COPY



W.P(MD)No.1113

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1113 of 2024

S.Senthil

... Petitioner

Vs

1.The Tahsildar,
Theni Taluk Office,
Theni District.

2.The Firka Surveyor,
Poomalaikundu Village,
Theni Taluk,
Theni District.

3.The Village Administrative Officer,
Poomalaikundu Village,
Theni Taluk,
Theni 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 to conduct the survey for fixing the four boundaries of petitioner's property bearing survey Nos. 478/12A1, 478/12A2 and 478/12A3 and Patta No.4752 based on the petitioner's application vide E-Challan No.20230814006822 dated 14.08.2023 within a time limit as may be fixed by this Court.



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For Petitioner : Mr.R.Venkateswaran
For R1 to R3 : Mr.SRA.Ramachandran
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to conduct the survey for fixing the four boundaries of petitioner's property bearing survey Nos.478/12A1, 478/12A2 and 478/12A3 and Patta No.4752 based on the petitioner's application vide E-Challan No.20230814006822 dated 14.08.2023 within a time limit as may be fixed by this Court.

2. Heard Mr.R.Venkateswaran, learned counsel appearing for the petitioner and Mr.SRA.Ramachandran, learned Additional Government Pleader appearing for the respondents.

3. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, he purchased a property measuring 0.10.0 Ares (25 cents) bearing a survey Nos.478/12A1, 478/12A2 and 478/12A3 through a registered sale deed vide doc.No.7524/2015, dated 17.11.2215. The petitioner got patta for the said property vide patta No.4752 issued by the first respondent. The petitioner has filed an application through Online on 14.08.2023 for survey and for



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fixing the four boundaries. Based on the said application, the first respondent issued survey notice on two times scheduled to survey the property on 17.10.2023 at 11.30 a.m., and 20.12.2023 at 10.00 a.m., but the survey was not done. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5.The learned Additional Government Pleader appearing for the respondents would submit that appropriate direction may be given to the respondents to consider the petitioner's application dated 14.08.2023, in accordance with law, within a time frame.

6.Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to consider the petitioner's application dated 14.08.2023 and after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence and fixing the four boundaries of the petitioner's property in S.R.No.478/12A1, 478/12A2 and 478/12A3 and pass orders in accordance with law and communicate the decision taken by the respondents to the petitioner and others concerned. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



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7.This Writ Petition stands disposed of with the above directions. No costs.

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Index : Yes/No
Internet: Yes/No
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22.01.2024

To

- 1.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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