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W.P(MD)No.2097

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2097 of 2024

Chinnaiah

... Petitioner

Vs

1.The Tahsildar,
Natham Taluk Office,
Natham,
Dindigul District.

2.The Taluk Surveyor,
Natham Taluk Office,
Natham,
Dindigul 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 survey the landed property in S.F.No.214/3D, 214/4A6, 214/4B10 and 214/4B5 to an extent of 0.10.00, 0.5.00, 0.8.50, 0.8.00 in Patta No.81 and S.F.No.186/4A3, 186/4A7, 214/3B and 214/4B3 to an extent of 0.5.00, 0.2.50, 0.31.00 and 0.8.00 in Patta No. 213 is situated at Kottaiyur Village, Natham Taluk, Dindigul District on the basis of petitioner's application dated 31.12.2023 within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader



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ORDER

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The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to conduct survey the landed property in S.F.No.214/3D, 214/4A6, 214/4B10 and 214/4B5 to an extent of 0.10.00, 0.5.00, 0.8.50, 0.8.00 in Patta No.81 and S.F.No.186/4A3, 186/4A7, 214/3B and 214/4B3 to an extent of 0.5.00, 0.2.50, 0.31.00 and 0.8.00 in Patta No.213 is situated at Kottaiyur Village, Natham Taluk, Dindigul District on the basis of petitioner's application, dated 31.12.2023 within the time frame fixed by this Court.

2. Heard Mr.T.Vadivelan, learned counsel appearing for the petitioner and Mrs.K.Christy Theboral, 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, the properties comprised in S.F.No.214/3D, 214/4A6, 214/4B10 and 214/4B5 to an extent of 0.10.00, 0.5.00, 0.8.50, 0.8.00 in Patta No.81 and S.F.No.186/4A3, 186/4A7, 214/3B and 214/4B3 to an extent of 0.5.00, 0.2.50, 0.31.00 and 0.8.00 in Patta No.213 is situated at Kottaiyur Village, Natham Taluk, Dindigul District are their ancestral properties. He had received the same through succession. Patta was also mutated in his name. He has made an



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application to the first respondent to survey the properties and fix the four boundaries to the above mentioned survey numbers for enabling him to know the boundaries and he has also paid the necessary fees to survey the land at E-challan. He has produced the same along with the application with necessary documents on 31.12.2023 before the first respondent. Since the respondents have not taken any steps to survey the properties, 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 as per the present procedure, the petitioner has to pay the amount online and after paying the necessary fees through E-Challan, the respondents will be in a position to survey and measure the properties.

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 petitioner to pay necessary fees through E-Challan within a period of two weeks from the date of receipt of a copy of this order. After the receipt of necessary fees, the respondents are directed to consider the petitioner's application dated 31.12.2023 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.F.No.214/3D, 214/4A6, 214/4B10 and 214/4B5 to an extent of 0.10.00, 0.5.00,



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0.8.50, 0.8.00 in Patta No.81 and S.F.No.186/4A3, 186/4A7, 214/3B and 214/4B3 to an extent of 0.5.00, 0.2.50, 0.31.00 and 0.8.00 in Patta No.213 is situated at Kottaiyur Village, Natham Taluk, Dindigul District 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 thereafter.

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

Index : Yes/No
Internet: Yes/No
am

02.02.2024

To

1.The Tahsildar,
Natham Taluk Office,
Natham,
Dindigul District.

2.The Taluk Surveyor,
Natham Taluk Office,
Natham,
Dindigul District.



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V.BHAVANI SUBBAROYAN, J.

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