



W.P.(MD)No.3008 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED 13.02.2024

CORAM

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

W.P(MD)No.3008 of 2024

Srivalli

...Petitioner

/Vs./

1.The Tahsildar,
Land Survey Department,
Alangulam Taluk Office,
Tenkasi District.

2.The Head Surveyor,
Tenkasi District.

3.The Surveyor,
Alangulam Taluk,
Tenkasi District.

4.The Village Administrative Officer,
Anainthaperumal Nadanoor,
Tenkasi District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to resurvey the petitioner's land comprised Natham Survey Number 700/6, situated in Anainthaperumal Nadanoor Village based on the petitioner's appeal dated 01.11.2023 within simulated time.



W.P.(MD)No.3008 of 2024

For Petitioner : Mr.R.Vinoth Bharathi

For Respondents : Mrs.K.Christy Theberal

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents to resurvey the petitioner's land comprised Natham Survey Number 700/6, situated in Anainthaperumal Nadanoor Village based on the petitioner's appeal dated 01.11.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, the petitioner is in possession and enjoyment of the subject property by way of registered sale deed. Patta was also issued in favour of the petitioner. The petitioner made an application for survey. When the respondents came for surveying the subject property, the petitioner was out of station and hence, the respondents surveyed based on the



W.P.(MD)No.3008 of 2024

petitioner's neighbouring land owner's documents. Subsequent to that, the petitioner made an appeal before the first respondent to resurvey the subject property. The petitioner has also paid necessary fee for the same. Since no action has been taken by the respondents for survey of the subject property, this writ petition has been filed.

4. The learned Special Government Pleader appearing for the respondents submits that the petitioner's land can be measured only after issuance of notice to all the parties concerned.

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 appeal preferred by the petitioner dated 01.11.2023, 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.

13.02.2024

NCC : Yes/No

Index : Yes/No



WEB COPY



W.P.(MD)No.3008 of 2024

V.BHAVANI SUBBAROYAN, J.

sm

TO:-

- 1.The Tahsildar,
Land Survey Department,
Alangulam Taluk Office,
Tenkasi District.
- 2.The Head Surveyor,
Tenkasi District.
- 3.The Surveyor,
Alangulam Taluk,
Tenkasi District.
- 4.The Village Administrative Officer,
Anainthaperumal Nadanoor,
Tenkasi District.

Order made in
W.P(MD)No.3008 of 2024

Dated:
13.02.2024