



WP(MD). No.16469 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11/12/2024

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP(MD). No.16469 of 2023

P. Thangavel

... Petitioner

Vs.

1. The Thasildar,
Oddanchathiram Taluk,
Dindigul District..

2. The Taluk Surveyor,
Oddanchathiram Taluk,
Dindigul District..

3. Kandasamy

... 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 survey and marked the boundaries of the property in survey no. 28/1A of Puliyur Natham Village, Dindigul District, admeasuring 0.30.50 hectares equal to 75 cents by considering the representation of the petitioner dated 20.03.2023 within a time frame that may be fixed by this Honble Court.

For Petitioner : Mr.S.C.Herold Singh

For R1 & R2 : Mr. A.Kannan

Additional Government Pleader

For R3 : Mr.D.Venkatesh



WP(MD). No.16469 of 2023

ORDER

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This Writ Petition is filed for issuance of writ of mandamus directing the respondents 1 and 2 to survey and to mark the boundaries of the property to an extent of 0.30.50 hectares (75 cents) in S.No.28/1A of Puliur Natham Village, Dindigul District, on the basis of the petitioner's representation dated 20.03.2023 within a time frame fixed by this Court.

2. The petitioner submits that the property in S.No.28/1A originally belonged to his ancestors and patta stood in the name of eight persons, who belonged to the petitioner's family. The petitioner's family was issued with patta in Patta No.2398. While so, on 09.07.2020, the petitioner submitted an application to the official respondents along with necessary fees to survey and to demarcate the boundaries of his lands. As no action was taken, the petitioner submitted a detailed representation on 25.08.2020. Even thereafter, there was no response. Hence, the petitioner filed



WP(MD). No.16469 of 2023

WP(MD)No.11243 of 2020. This Court on 09.09.2020, disposed of the said writ petition with a direction to the respondents therein to consider the petitioner's representation. In pursuance of the order of this Court, the first respondent rejected the petitioner's representation on the ground that a civil suit is pending. The petitioner therefore approached this Court in WP(MD)No.5688 of 2021 and the same was dismissed on 15.03.2021. The learned counsel for the petitioner submits that on 07.11.2022, the suit filed by the third respondent was dismissed. Therefore, the petitioner submitted a representation to the second respondent on 20.03.2020. As there was no response to the petitioner's representation, the petitioner filed the above writ petition for the aforesaid relief.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that the petitioner's request for survey and demarcation of the boundaries of his lands was rejected vide order dated 11.07.2023 and therefore this writ



WP(MD). No.16469 of 2023

petition deserves to be dismissed.

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4. The learned counsel for the petitioner submits that liberty may be given to the petitioner to challenge the order dated 11.07.2023.

5. In view of the above facts, this writ petition is disposed of with liberty to the petitioner to challenge the order dated 11.07.2023 in the manner known to law. No costs.

11.12.2024

Index : Yes / No
NCC : Yes / No
CM

TO,
1. The Thasildar,
Oddanchathiram Taluk, Dindigul District..

2. The Taluk Surveyor,
Oddanchathiram Taluk, Dindigul District..



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WP(MD). No.16469 of 2023

N.MALA,J

CM

ORDER
IN
WP(MD) No.16469 of 2023

Date : 11/12/2024