



W.P.(MD) No.19889 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.19889 of 2024

G.Harikrishnan

.. Petitioner

Vs.

1.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

2.The Head Surveyor,
Thirumangalam,
Thirumangalam Taluk,
Madurai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to survey the petitioner's land and fix the boundaries to an extent of 1836 sq.ft situated in Town Survey No.10/51, Ward A, Block No.10, Sengulam Village, Thirumangalam Taluk, Madurai District, as per petitioner's registered Sale deed in Doc No.10906/2023, dated 06.10.2023 on the file of the Sub-Registrar, Thirumangalam, based on the fee remittance through the E-Challan 11.06.2024 as well as Jamabanthi application No. 381, dated 18.06.2024 and thereby make necessary entry / update in the FMB Sketch within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.B.Satheeshkumar
For Respondents : Mr.D.S.Neduncheziyan
Government Advocate

ORDER

The above writ petition is filed for a Mandamus directing the respondents to survey the petitioner's land and fix the boundaries in respect of the property measuring to an extent of 1836 square feet in Town Survey No.10/51, Sengulam village, Thirumangalam Taluk, Madurai taking into account the registered sale deed in favour of the petitioner.

2. The learned Government Advocate would submit a communication from the Town Surveyor, Taluk Office, Thirumangalam that the survey has been done.

3. However, the learned counsel for the petitioner would submit that after the survey, the petitioner is given as lesser extent than the extent purchased by him. This is on account of the fact that the respondents have not taken into consideration the documents of title



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submitted by the parties, particularly by the petitioner. The report of the Town Surveyor would also clearly indicate that the sale deed has not been taken into account while perusing the note that is attached to the report. The note would just refer to the following documents (1) அறிவிப்பு நோட்டீஸ் நகல் (2) வரைபடம் (FMB) நகல், which clearly shows that the petitioner's documents of title has not been taken into consideration. Therefore, the survey has not been properly done.

4. Therefore, the respondents are directed to resurvey the petition mentioned property taking into consideration the documents under which the petitioner claims right. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of copy of this order.

5. Accordingly, this writ petition stands allowed. No costs.

21.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

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P.T.ASHA, J.

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