



W.P.(MD) No.20684 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20684 of 2024

Rajarajan

.. Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Ottanchathiram.

2.The Head Surveyor,
Ottanchathiram Taluk,
Dindigul District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to consider the representation dated 23.07.2024 and direct the respondents to demarcate the property of the petitioner in Survey Nos.56/2B, 57/1, 57/3, 57/4, 58/2 and 61/2, Lekkayankottai Village, Ottanchathiram Circle.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.P.Thambidurai
Government Advocate



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ORDER

Seeking a mandamus to the respondents to demarcate the property of the petitioner in Survey Nos.56/2B, 57/1, 57/3, 57/4, 58/2 and 61/2, Lekkayankottai Village, Ottanchathiram Circle by considering his representation dated 23.07.2024, the petitioner is before this Court.

2.The petitioner's case is that the above said property devolved on his father by way of registered sale deeds and partition deed and the revenue records also stand in the name of the petitioner's father. After the death of the petitioner's father, the property devolved on his legal heirs viz., the petitioner's mother and the petitioner. The petitioner now wants to demarcate the above said property. Therefore, he approached the respondents, who in turn directed him to upload application through online along with requisite fee. Thereafter, no response is forthcoming. The petitioner has also sent a representation dated 23.07.2024 for demarcation of the property. However, the respondents are reluctant in considering his grievance. Therefore, the present writ petition.



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3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as on 23.07.2024, a mandamus is issued to the respondents to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, if any, hold an enquiry and thereafter proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

30.08.2024

NCC : Yes/No
Index : Yes/No
abr



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P.T.ASHA, J.

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