



W.P.(MD) No.20421 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20421 of 2024

Kalyanasundaram

.. Petitioner

Vs.

1.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

2.The Head Surveyor,
Tahsildar Office,
Karaikudi Taluk,
Sivagangai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to survey and fix the boundary stones of the petitioner's land in Survey No. 148/1B with an extent of 81.50 ares in Patta No.1021, situated at Kallankudi Village, Kallankudi Group, Karaikudi Taluk, Sivagangai District by considering his application dated 31.05.2024 within a time stipulated by this Court.

For Petitioner : Mr.M.Ramu



WEB COPY



W.P.(MD) No.20421 of 2024

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The petitioner has filed this writ petition for a mandamus to the respondents to survey and fix the boundary stones of the petitioner's land in Survey No.148/1B with an extent of 81.50 ares in Patta No.1021, situated at Kallankudi Village, Kallankudi Group, Karaikudi Taluk, Sivagangai District, by considering his application dated 31.05.2024.

2. The case of the petitioner is that his father obtained an assignment in the year 1991 in respect of the aforesaid land and also obtained patta in Patta No.747 in his name. After the death of his father, the petitioner's mother inherited the same in Patta No.904 and she executed a gift deed in favour of the petitioner in the year 2009 and now, the property stands in the name of the petitioner in Patta No.1021. He would submit that he is enjoying the said property without any encumbrance and to protect the lands, he approached the respondents to



W.P.(MD) No.20421 of 2024

survey his land for which he paid necessary fees to the first respondent along with an application on 31.05.2024. Since no steps have been taken to conduct survey, the petitioner is before this Court.

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 application as early as on 31.05.2024, 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, 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.



W.P.(MD) No.20421 of 2024

WEB COPY

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

28.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

2.The Head Surveyor,
Tahsildar Office,
Karaikudi Taluk,
Sivagangai District.



WEB COPY



W.P.(MD) No.20421 of 2024

P.T.ASHA, J.

abr

W.P.(MD) No.20421 of 2024

Dated: 28.08.2024