



W.P(MD) No.20525 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH
COURT**

DATED : 29.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20525 of 2024

B.Sagunthala

.. Petitioner

Vs.

1.The Tahsildhar,
Nilakottai Taluk,
Dindigul District.

2.The Firka Surveyor,
Nilakottai Taluk,
Dindigul 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 demarcate the four boundaries by planting survey stones in survey Nos.396/2A1B (measuring about 0-06.07 Hectares), 396/2A1X (measuring about 0-06.07 Hectares),



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situated at Viruveedu Village, Nilakottai Taluk, Dindigul District based on the online application vide Challan No. 2024/0123/13/004554 dated 30.07.2024 within the stipulated time as fixed by this Court.

For Petitioner : Mr.Sarvagan Prabhu
For Respondents : Mr.B.Saravanan
Addl. Govt. Pleader

ORDER

This writ petition is filed for a mandamus to direct the respondents to survey and demarcate the four boundaries by planting survey stones in survey Nos.396/2A1B (measuring about 0-06.07 Hectares), 396/2A1X (measuring about 0-06.07 Hectares), situated at Viruveedu Village, Nilakottai Taluk, Dindigul District, based on the online application vide Challan No. 2024/0123/13/004554 dated 30.07.2024 within the stipulated time as fixed by this Court.



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2.The case of the petitioner is that the above mentioned properties were purchased by the petitioner through a registered sale deed, dated 19.07.2024 from one S.Revathi and her son S.Kishore. Since then he is in possession and enjoyment of the said property and patta also stands in his name. Further, the petitioner's vendor's sister viz., Jothi settled the above said property by a registered settlement deed dated 05.04.2023 in favour of the petitioner's vendor. As per the recitals of the settlement deed, his vendor's sister was allotted the share in the said property through partition suit in O.S.No.275 of 2021 dated 19.09.2017. In such circumstances, from the date of purchase, no survey has been conducted. Hence, to measure and demarcate the aforesaid property, he made an application through online on 30.07.2024. Since the respondents had not taken any steps, the present petition is filed.

3. Heard the learned counsel on either side.



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4. Considering the request of the petitioner and also the fact that the petitioner has made his application as early as in July, 2024, a mandamus is issued to the respondents to conduct survey and demarcate the petition mentioned property. The petitioner shall submit all the relevant records to show the 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 demarcating 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 eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands allowed.

No costs.

29.08.2024

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



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To

- 1.The Tahsildhar,
Nilakottai Taluk,
Dindigul District.
- 2.The Firka Surveyor,
Nilakottai Taluk,
Dindigul District..



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P.T.ASHA, J.

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