



W.P.(MD) No.21719 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21719 of 2024

P.Arulsamy

.. Petitioner

Vs.

1.The District Revenue Officer,
District Revenue Office,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram District.

3.The Tahsildar,
R.S.Mangalam Taluk,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to consider and dispose the petitioners application, dated 05.02.2021 seeking rectify the mistake in new Field Measurement Book (FMB) and retain the old Field Measurement Book (FMB) with respect of Natham lands in survey nos.150/20B1 to an extent of 1368 Sq. Ft. situated at Karuppakudumbachery Village, Thumbataikakottai Revenue Group,



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R.S.Mangalam Taluk, Ramanathapuram District within a stipulated time by this Court.

For Petitioner : Mr.K.Saravanan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Seeking a mandamus to the 2nd respondent to dispose of the petitioner's application seeking to rectify the mistake in the new Field Measurement Book (FMB) with respect to the natham lands in Survey No.150/20B1 measuring an extent of 1368 Sq.Ft in Karuppakudumbachery Village, Thumbataikakottai Revenue Group, R.S.Mangalam Taluk, Ramanathapuram District, the petitioner is before this Court.

2. The petitioner would submit that he is residing in the above property. He has purchased the same from one Pusparani and her family members under a registered sale deed, dated 04.08.2003. On purchasing the property, the same was surveyed, subdivided and boundaries were



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also marked as per the FMB sketch. The petitioner has also constructed a house thereon. While so, the revenue authorities have drawn a new sketch in the FMB and the location of the petitioner's land has been changed and is in variance with the old FMB. On coming to know about the same, the petitioner has made an application to the 2nd respondent on 05.02.2021 with a copy marked to the 3rd respondent calling upon them to rectify the mistake. There has been no progress in the said application. In the meanwhile, one Sounthararajan and another who are adjacent lands owners have filed a suit for declaration before the District Munsif Court, Thiruvadanai in O.S.No.36 of 2021 claiming a part of the petitioner's land by relying on the new FMB. An Advocate Commissioner has been appointed to conduct a survey with the assistance of Surveyor. If the property is surveyed as per the new erroneous sketch, it would cause great hardship to the petitioner. Hence, it is the request of the petitioner to conduct survey and fix the boundaries as per the documents of the parties. Since no action was taken, this writ petition has been filed.

3. Heard the learned counsel on either side.



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4. The petitioner's sale deed clearly mentions the boundaries and the extent which has been purchased by the petitioner. It is also seen that the said Sounthararajan owns lands to the east of the petitioner's land and is attempting to encroach into the petitioner's property. Therefore, a mandamus is issued to the 2nd respondent to dispose of the application filed by the petitioner, dated 05.02.2024 after affording an opportunity to the neighbouring lands owners and orders shall be passed within a period of four (4) weeks from the date of receipt of copy of this order.

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

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

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P.T.ASHA, J.

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