



W.P.(MD) No.21189 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21189 of 2024

V.Manikandan

.. Petitioner

Vs.

1.The Tahsildar,
Kantharvakottai Taluk Office,
Kantharvakottai Taluk,
Pudukottai District.

2.The Head Surveyor,
Kantharvakottai Taluk Office,
Kantharvakottai Taluk,
Pudukottai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to direct the second respondent to survey the lands in Survey No. 235-1B1A to an extent of 11 cents and Survey No.235-1B2A to an extent of 11 cents in Kovilur Village, Kantharvakottai Taluk, Pudukkottai District by considering the petitioner's Petition No.2024/0123/22/003639 dated 06.08.2024 within a period to be stipulated by this Court.



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For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a mandamus to the first respondent to direct the second respondent to survey his lands in Survey No.235-1B1A to an extent of 11 cents and Survey No.235-1B2A to an extent of 11 cents in Kovilur Village, Kantharvakottai Taluk, Pudukkottai District, by considering his petition in Petition No. 2024/0123/22/003639, dated 06.08.2024.

2. The case of the petitioner is that he has purchased the petition mentioned property under a registered sale deed dated 21.12.2023 and from the date of purchase, he has been in the peaceful possession and enjoyment of the same. He has also obtained a patta in his name in Patta No.4031. In order to protect and safeguard his property, the petitioner has decided to survey his land. Therefore, on 06.08.2024, the petitioner has given a petition in Petition No.2024/0123/22/003639 and paid a sum



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of Rs.1,660/-. The petitioner would submit that in spite of the receipt of the payment, the respondents are hesitating to commence the survey process. Therefore, the petitioner is before this Court by way of this writ petition.

3. Heard the learned counsel on either side.

4. Considering the case of the petitioner and also the fact that the petitioner has made his petition as early as on 06.08.2024, 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 eight weeks from the date of receipt of a copy of this order.



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

05.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Kantharvakottai Taluk Office,
Kantharvakottai Taluk,
Pudukottai District.

2.The Head Surveyor,
Kantharvakottai Taluk Office,
Kantharvakottai Taluk,
Pudukottai District.



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P.T.ASHA, J.

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