



W.P.(MD) No.21486 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21486 of 2024

Arumugam

.. Petitioner

Vs.

1.The District Collector,
Theni,
Theni District.

2.The Tahsildar,
Office of the Taluk Office,
Andipatti Taluk,
Theni District.

3.The Head Surveyor,
Taluk Office,
Andipatti Taluk,
Theni District.

4.The Inspector of Police,
Andipatti Police Station,
Theni District.

5.Paul Pandi

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 2 and 3 to survey and demarcate the petitioner's landed property to an extent of 35 cents comprised in Survey No.796/1B1 property situated at Andipatti Bit-1, Andipatti Taluk, Theni District, on the basis of the petitioner's application dated 13.08.2024 within the time frame as fixed by this Court.

For Petitioner	:	Mr.B.Arun
For R1 to R3	:	Mr.P.Thambidurai, Government Advocate
For R4	:	Mr.K.Sanjai Gandhi Government Advocate

ORDER

This writ petition is filed for a mandamus to direct the respondents 2 and 3 to survey and demarcate the petitioner's landed property to an extent of 35 cents comprised in Survey No.796/1B1 property situated at Andipatti Bit-1, Andipatti Taluk, Theni District, on the basis of the petitioner's application dated 13.08.2024.



W.P.(MD) No.21486 of 2024

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2.The case of the petitioner is that the aforesaid property was purchased by the petitioner and his friend viz., Murugesan from one Mugugeshwari on 30.08.2023. Thereafter, his friend had executed a release deed in favour of the petitioner on 02.08.2024. From which, the petitioner is in possession and enjoyment of the same and he has mutated the revenue records in his name. In such circumstances, the fifth respondent without any document claimed the petitioner's property. Therefore, he gave a complaint before the fourth respondent on 10.08.2024. Based on which, the fourth respondent conducted an enquiry and directed both parties to approach the survey department. Pursuant to which, he made an application to the second respondent on 13.08.2024 and also paid necessary fees. Since no action has been taken, the petitioner is before this Court.

3.Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned Government Advocate appearing for the fourth respondent.



W.P.(MD) No.21486 of 2024

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4. Considering the request of the petitioner and also the fact that the petitioner has made his representations as early as in August, 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 six weeks from the date of receipt of a copy of this order.

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

10.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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W.P.(MD) No.21486 of 2024

To

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Theni District.
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P.T.ASHA, J.
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