



W.P.(MD) No.21693 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.21693 of 2024

Ulaganatha Vadivel

.. Petitioner

Vs.

1.The Tahsildar,
Periyakulam Taluk,
Theni District-625 531.

2.The Field Surveyor,
Land Measurement Division,
Tahsildar Office,
Theni-625 531.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to conduct survey and fix the boundaries for the petitioner land situated Survey No. 125/7 New Survey no.125/7D2, 125/7F and 125/7G1 at Veerapandi Village, Periyakulam, Theni District based on representation, dated on 20.05.2024.

For Petitioner : Mr.N.Ragulagavel Rajesh



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For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to direct the 2nd respondent to conduct survey and mark the boundaries of the property comprised in Survey No. 125/7 New Survey no.125/7D2, 125/7F and 125/7G1 situated in Veerapandi Village, Periyakulam, Theni District based on representation, dated on 20.05.2024.

2. The case of the petitioner is that the petition mentioned property originally belonged to his late brother one M.S.J.Nandhagopal. His late brother had executed a gift deed in favour of the petitioner transferring a half share. In 2015, the National Highway Authority of India issued an acquisition notice and after the said acquisition, the boundaries of the land got distorted. Hence, on 16.04.2024, the petitioner had made an application to the respondents and had paid necessary fee for conducting survey in the said property. Since no further action has been taken on the



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side of the respondents, the petitioner has sent another representation on 20.05.2024 for surveying the property. Since the representations did not evoke any response, 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 representation as early as in April, 2024, a Mandamus is issued to the respondents to conduct survey and mark the boundaries in 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 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 (6) weeks from the date of receipt of a copy of this order.



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

12.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Tahsildar,
Periyakulam Taluk,
Theni District-625 531.

2.The Field Surveyor,
Land Measurement Division,
Tahsildar Office,
Theni-625 531.



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P.T.ASHA, J.

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