



W.P.(MD) No.21374 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21374 of 2024

Rajeshwaran

.. Petitioner

Vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Assistant Director of Survey,
Survey and Land Records Department,
Collectorate, Trichy.
- 3.The Tahsildar,
Thiruverumbur Taluk,
Trichy District.
- 4.The Head Surveyor cum Taluk Deputy Inspector,
Thiruverumbur Taluk,
Trichy District.
- 5.The Sub Inspector of Survey,
Thiruverumbur Taluk,
Trichy District.
- 6.Lawrence



W.P.(MD) No.21374 of 2024

7. Maria Stella

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 to 4 to conduct the accurate survey of the property in S.F.No.100 of Gundur Revenue Village, Thiruverumbur Taluk, Trichy District by correlating the four boundaries mentioned in the sale deed, dated 28.06.2006 17.03.2009 and gift settlement deed, dated 25.09.2023 after issuing notice to the concerned parties and adjacent owners of the property in S.F.No.100 and sub divide and issue separate patta as per the title deeds within the time stipulated by this Court.

For Petitioner : Mr.A.Arul Jenifer
for M/s.KBS Law Office

For R1 – R5 : Mr.D.S.Nedunchezian
Government Advocate

ORDER

This writ petition is filed for a mandamus to direct the 2nd respondents 1 to 4 to conduct survey and mark the boundaries of the property comprised in S.F.No.100 situated in Gundur Revenue Village, Thiruverumbur Taluk, Trichy District as per the sale deeds, 28.06.2006 17.03.2009 and gift settlement deed, dated 25.09.2023.



W.P.(MD) No.21374 of 2024

WEB COPY

2. The case of the petitioner is that his mother had purchased the property measuring an extent of 12.08 Acres comprised in S.F.No.100 situated at Gundur Revenue Village, Thiruverumbur Taluk, Trichy District vide registered sale deed, dated 17.03.2009. In the year 2018, she submitted an application before the 3rd respondent to conduct the survey and subdivide the property and issue separate patta. However, the 3rd respondent has not taken any steps. On 25.09.2023, the petitioner's mother had executed a registered gift settlement deed in favour of the petitioner and his three brothers. They have been in possession and enjoyment of the same since then. Thereafter, on several occasions, the petitioner had made an application and had also paid the necessary fee to survey and demarcate the boundaries. Since the respondents have not taken any further steps, the petitioner is before this Court.

3. It is informed by the learned Government Advocate that the application which has been given by the mother of the petitioner in 2018 is available with the third respondent.

4. Heard the learned counsel on either side.



W.P.(MD) No.21374 of 2024

WEB COPY

5. Considering the request of the petitioner and also the fact that the petitioner's mother has made her application as early as in the year 2018, a Mandamus is issued to the respondents 1 to 5 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 1 to 5 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 four (4) weeks from the date of receipt of a copy of this order.

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

09.09.2024

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



W.P.(MD) No.21374 of 2024

WEB COPY

To

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Assistant Director of Survey,
Survey and Land Records Department,
Collectorate, Trichy.
- 3.The Tahsildar,
Thiruverumbur Taluk,
Trichy District.
- 4.The Head Surveyor cum Taluk Deputy Inspector,
Thiruverumbur Taluk,
Trichy District.
- 5.The Sub Inspector of Survey,
Thiruverumbur Taluk,
Trichy District.



WEB COPY



W.P.(MD) No.21374 of 2024

P.T.ASHA, J.

gbg

W.P.(MD) No.21374 of 2024

09.09.2024