



W.P.(MD) No.21978 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21978 of 2024

Marisamy

.. Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to conduct survey the petitioner's land in Patta No.314, 317 situated at Survey No.299, Sub Division No.12,13 at M.Kodangipatti, Vilathikulam Taluk, Thoothukudi District by way of considering the petitioner's application, dated 02.05.2023.

For Petitioner : Mr.R.Jegadeeswaran



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For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

This writ petition is filed for a mandamus to direct the respondents to conduct survey and mark the boundaries of the property in Patta No. 314, 317 comprised in Survey No.299, Sub Division No.12,13 situated in M.Kodangipatti, Vilathikulam Taluk, Thoothukudi District by way of considering the petitioner's application, dated 02.05.2023.

2. The case of the petitioner is that his father and his grand-mother were having the petition mentioned property. After their demise, he is in possession and enjoyment of the same. The petitioner has paid necessary fee for conducting the survey in his property through challan on 08.06.2021 and through online on 02.05.2023. Since no steps have been taken on the side of the respondents, the petitioner is before this Court.

3. Heard the learned counsel on either side.



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4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as in June, 2021, 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 four (4) weeks from the date of receipt of a copy of this order.

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

13.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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To

1.The Tahsildar,
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Vilathikulam Taluk,
Thoothukudi District.

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