



W.P.(MD) No.22153 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22153 of 2024

Mrs.C.Maheswari

.. Petitioner

Vs.

1.The Tahsildhar,
Manachanallur Taluk Office,
Manachanallur Taluk,
Tiruchirapalli District.

2.The Head Surveyor,
Manachanallur Taluk Office,
Manachanallur Taluk,
Tiruchirapalli District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to survey and demarcate the boundaries of the petitioner's land comprising in Survey No.150/34 with an extent of 00125 sq.m.,(1345 ½ sq.ft) in Natham Patta No.12, situated at Bikshandarkovil, Manachanallur Taluk,



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Tiruchirapalli District on the basis of petitioner application dated 28.01.2022 and 04.12.2023 within the time frame that may be fixed by this Court.

For Petitioner : Mr.C.Abulkalam Azad
For Respondents : Mr.P.Thambidurai,
Government Advocate

ORDER

This writ petition is filed for a mandamus directing the respondents to survey and demarcate the boundaries of the petitioner's land comprised in Survey No.150/34 measuring an extent of 00125 sq.m.,(1345 ½ sq.ft) in Natham Patta No.12, situated at Bikshandarkovil, Manachanallur Taluk, Tiruchirapalli District, on the basis of petitioner's application dated 28.01.2022 and 04.12.2023.

2. The case of the petitioner is that he purchased the aforesaid property from his mother viz., Anuchayi, through a registered settlement deed, dated 19.06.2020. From the date of purchase, the petitioner is in possession and enjoyment of the same. He has obtained patta in his him.



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While so, he decided to demolish his old house and construct a new house in the said property. For that purpose, he made an application to the second respondent to survey and measure the property on 24.01.2022. On 28.01.2022, he paid the necessary fees for surveying the property along with an application in person before the second respondent. Again on 04.12.2023 he made an application through register post to the respondents and the same was received. So far no action has been taken. Hence, the present writ petition is filed.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made several representations, lastly on 04.12.2023, 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



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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 weeks from the date of receipt of a copy of this order.

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

19.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1. The Tahsildhar,
Manachanallur Taluk Office,
Manachanallur Taluk,
Tiruchirapalli District.

2. The Head Surveyor,
Manachanallur Taluk Office,
Manachanallur Taluk,
Tiruchirapalli District.



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P.T.ASHA, J.

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