



W.P.(MD) No.22446 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22446 of 2024

Chithradevi

.. Petitioner

Vs.

- 1.The Tahsildhar,
Kulithalai Taluk Office,
Kulithalai Taluk,
Karur District.
- 2.The Head Surveyor,
Kulithalai Survey Division,
Kulithalai Taluk Office,
Karur District.
- 3.The Village Administrative Officer(VAO)
Nangavaram Village,
Kulithalai Taluk,
Karur District.
- 4.The Sub Inspector of Police,
Kulithalai Police Station,
Karur District.
- 5.Sundaram
- 6.Chithra



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7.Muthusamy
8.Thangammal
9.Thangammal

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 1 to 3 with the aid of 4th respondent's police protection regarding the land in S.No.163 with an extent of 1 acre 77 cents out of the total extent of 0.91.5 acres ie., 2 acres and 26 cents bearing Patta No.986 and on the basis of survey fee paid Appln.No.2024/0123/14/002049 dated 09.09.2023 and representation dated 10.09.2024 to survey the land and issue separate patta in the petitioner's name within the time stipulated by this Court.

For Petitioner	:	Mr.R.Sundar
For R1 to R3	:	Mr.B.Saravanan Additional Government Pleader
For R4	:	Mr.K.Sanjai Gandhi

ORDER

This writ petition is filed for a Mandamus directing the respondents 1 to 3 with the aid of the fourth respondent regarding the land in S.No.163 measuring an extent of 1 acre 77 cents, out of the total extent of 0.91.5 acres ie., 2 acres and 26 cents, bearing Patta No.986 and on the basis of survey fee paid Appln.No.2024/0123/14/002049, dated



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09.09.2023 and the representation dated 10.09.2024 to survey the land and issue separate patta in the petitioner's name.

2.The case of the petitioner is that he purchased the aforesaid property from C.Bala and C.Vidhya, on 02.12.2023 and the same was registered through sale deed, dated 02.04.2024. From the date of purchase, he is in possession and enjoyment of the same. Therefore, he decides to fence the said property, for which, on 02.09.2024 he made an application before the respondents 1 to 4. Based on the instruction of the respondents 1 to 4, he submitted an online application on 09.09.2024 and also paid necessary charges for surveying the land. So far no action has been taken. In the meantime, some third parties are giving trouble with an intention to grab the petitioner's property. Hence, he sent a detailed representation on 09.02.2024 to the respondents 1 to 4, followed by another representation dated 10.09.2024. Since no steps have been taken, the present writ petition is filed.

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 representations dated 09.09.2024 and 10.09.2024, a mandamus is issued to the respondents to conduct survey the petition mentioned property and issue patta. 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 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 five weeks from the date of receipt of a copy of this order.

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

23.09.2024

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



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To

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P.T.ASHA, J.

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