



W.P.(MD) No.22733 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22733 of 2024

V.Nagarathinam

.. Petitioner

Vs.

1.The Tahsildhar,
O/o.Tahsildar Office,
Ramanathapuram Taluk,
Ramanathapuram District.

2.The Assistant Director,
O/o.The Land Surveyor Office,
District Collector Campus,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to conduct survey and mark the boundaries of the property in Survey No. 304/1A3, 304/1D & 304/1F, 275/4, 276/10, 306/3A & 306/4A, 306/1B1A, 305/2, 306/1A, 306/1B2 to an extent of 5 ³/₄ cents, 47 cents, 9



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cents, 2 ½ cents 47 cents, 1 acre 11 cents, 78 ½ cents 61 cents, 93 cents respectively, situated in Mandapam Village, Ramanathapuram Taluk, Ramanathapuram District and to provide sketch for the same, by considering the petitioner's representation dated 10.07.2024 in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurgapandi
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a Mandamus directing the second respondent to conduct survey and mark the boundaries of the property in Survey No.304/1A3, 304/1D & 304/1F, 275/4, 276/10, 306/3A & 306/4A, 306/1B1A, 305/2, 306/1A, 306/1B2 to an extent of 5 ¾ cents, 47 cents, 9 cents, 2 ½ cents 47 cents, 1 acre 11 cents, 78 ½ cents 61 cents, 93 cents respectively, situated in Mandapam Village, Ramanathapuram Taluk, Ramanathapuram District and to provide sketch for the same, by considering the petitioner's representation, dated 10.07.2024.



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2.The case of the petitioner is that the aforesaid property originally belonged to his father and in the year 2010, his father executed a registered Will in favour of him. By way of the said Will, he got the aforesaid properties. Thereafter, he mutated all the revenue records in his favour. In such circumstances, he decided to survey his property and fix the boundaries. For which, he remitted a sum of Rs.400/- for each survey number. But, the second respondent has not come forward to survey the same. Hence, he made a representation on 10.07.2024. No action has been taken to till date. Hence, the present writ petition is filed.

3.It is informed by the learned Additional Government Pleader that the petitioner has paid only a sum of Rs.400/-, instead of paying a sum of Rs.800/- for each survey number. As and when the balance amount is paid, a survey shall be conducted.

4.Heard the learned counsel on either side.



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5.Considering the submission made by the learned Additional Government Pleader, this Court directs the petitioner to pay the balance amount to survey the each land, within a period of two weeks from the date of receipt of a copy of this order. On payment of the balance amount, the second respondent is directed to conduct survey and mark the boundaries of the petition mentioned property. The petitioner shall submit all the relevant records to show the title to the property and the second respondent 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 four weeks thereafter.

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

25.09.2024

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



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To

- 1.The Tahsildhar,
O/o.Tahsildar Office,
Ramanathapuram Taluk,
Ramanathapuram District.
- 2.The Assistant Director,
O/o.The Land Surveyor Office,
District Collector Campus,
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P.T.ASHA, J.

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