



W.P.(MD) No.23073 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23073 of 2024

Ganesan

... Petitioner

Vs

1. The Tahsildar,
Kalayarkovil,
Kalayarkovil Taluk,
Sivagangai District.

2. Vellaichamy

3. Subramanian

4. Sathappakonar

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to survey and measure the property of the petitioner comprised in Survey No.347/19 to an extent of 0.01.00 Ares and 347/18 to an extent of 0.01.00 Ares at Somanathamangalam Group Kalayarkovil Village, Kalayarkovil Taluk, Sivagangai District, on the basis of petitioner's application dated 18.06.2024 and 06.08.2024, within a reasonable time as



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fixed by this Court.

For Petitioner : Mr.V.S.Kumar Guru
For R-1 : Mr.D.S.Nedunchezian
Government Advocate (Crl. side)

ORDER

This writ petition is filed for a mandamus, to direct the respondents to survey the lands comprised in Survey No.347/19 to an extent of 0.01.00 Ares and 347/18 to an extent of 0.01.00 Ares at Somanathamangalam Group Kalayarkovil Village, Kalayarkovil Taluk, Sivagangai District, on the basis of petitioner's application dated 18.06.2024 and 06.08.2024

2. The case of the petitioner is that the petition mentioned property originally belonged to one Ramasutha and one Ramkumar. The petitioner had purchased the property from the above said persons on 03.04.2024 and subsequently, he got the patta in Patta No.1156. He is in possession and enjoyment of the property. On 18.06.2024, the petitioner made an application to the official respondent and had paid necessary fees, for conducting survey in the said property. Since no further action on the



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side of the respondent, the petitioner has sent another application on 06.08.2024 for surveying the property. Despite the same has been received by the official respondent, no action has been taken. Hence, the petitioner has approached this Court.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made an applications as early as on 18.06.2024 and 06.08.2024, 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 her 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 eight (8) weeks from the date of receipt of a copy of this order.



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

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

27.09.2024

To

The Tahsildar,
Kalayarkovil,
Kalayarkovil Taluk,
Sivagangai District.



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P.T.ASHA, J.

jbr

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