



W.P.(MD) No.23326 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.23326 of 2024

Muthaleef

... Petitioner

/vs./

1.The Tahsildar,
Office of the Tahsildar,
Orathanadu Taluk,
Thanjavur District.

2.The Taluk Surveyor,
Pandipazhamanaikkadu Village,
Orathanadu Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct survey and fix boundaries in the lands comprised in Survey No.436/2 to an extent of 1 acres 99 cents situated at Pandipazhamanaikkadu Village, Orathanadu Taluk, Thanjavur District on the basis of the petitioner's application dated 25.05.2024 within a time frame that may be stipulated by this court.



W.P.(MD) No.23326 of 2024

WEB COPY

For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to direct the respondents to conduct survey and fix boundaries in the lands comprised in Survey No.436/2, measuring an extent of 1 acres 99 cents situated at Pandipazhamanaikkadu Village, Orathanadu Taluk, Thanjavur District on the basis of the petitioner's application dated 25.05.2024.

2. The case of the petitioner is that he had purchased the petition mentioned lands from one Mirasu Mohammed Kasim on 16.08.2007 through a registered sale deed Doc.No.1013 of 2007. The revenue records as well as the patta in patta No.345 stood in his name. On 17.04.2012, he had sold 11 cents of land to one Vijayarani and on 25.11.2016, he had executed a settlement deed in favour of his son, Haffees Ansari for the land measuring an extent of 33 cents and thereafter, the petitioner had also sold another extent of 8 cents in favour of one Pandiselvi and Rajeshwari. In the meantime, he had made a representation to the respondents to conduct survey and demarcate the boundaries on 25.05.2024.



W.P.(MD) No.23326 of 2024

WEB COPY

Since the representation did not evoke any response, 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 his representation as early as in May, 2024, a mandamus is issued to the respondents to conduct survey and fix the four boundaries of the 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 fixing the four boundaries of 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 six weeks from the date of receipt of a copy of this order. The respondents are at liberty to seek police protection, if necessary.



W.P.(MD) No.23326 of 2024

WEB COPY 5. With the above directions, this Writ Petition is allowed. No costs.

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

01.10.2024

mm

To

- 1.The Tahsildar,
Office of the Tahsildar,
Orathanadu Taluk,
Thanjavur District.
- 2.The Taluk Surveyor,
Pandipazhamanaikkadu Village,
Orathanadu Taluk,
Thanjavur District.



WEB COPY



W.P.(MD) No.23326 of 2024

P.T.ASHA, J.

mm

W.P.(MD) No.23326 of 2024

01.10.2024