



W.P.(MD) No.23291 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23291 of 2024

K.S.Muthusingappa Raja

.. Petitioner

Vs.

1.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

2.The Surveyor,
Rajapalayam Firka,
Rajapalayam,
Virudhunagar 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 fix boundaries of the petitioner's land to an extent of 3.42 acres situated in S.No.22/2 of Kadampankulam Village, Rajapalayam Taluk, Virudhunagar District, now Comprised in Rajapalayam Town Ward E, Block 17, T.S.Nos.2, 3/1, 3/2, 3/3, and Block 18, T.S.Nos.5/1 and 5/2 in accordance with Sale Deeds in Doc.Nos.673/1946 dated 17.03.1946, 1409/1946 dated 25.05.1946, 1480/1946 dated 01.08.1946,



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242/1954 dated 24.02.1954 and 243/1954 dated 24.02.1954 based on the petitioner's representation dated 31.08.2024 submitted to the first respondent within the time limit that may be fixed by this Court.

For Petitioner : Mr.M.Mohanasundaram

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Seeking a mandamus to the respondents to survey and fix boundaries of his land to an extent of 3.42 acres situate in S.No.22/2 of Kadampankulam Village, Rajapalayam Taluk, Virudhunagar District, now Comprised in Rajapalayam Town Ward E, Block No.17, T.S.Nos.2, 3/1, 3/2 and 3/3, and Block No.18, T.S.Nos.5/1 and 5/2 in accordance with Sale Deeds in Document Nos.673/1946, 1409/1946, 1480/1946, 242/1954 and 243/1954, dated 17.03.1946, 25.05.1946, 01.08.1946, 24.02.1954 and 24.02.1954 respectively based on the petitioner's representation dated 31.08.2024 submitted to the first respondent, the petitioner is before this Court.



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2. The case of the petitioner is that the land measuring an extent of 3.42 acres situate in the above said Village originally belonged to his grandmothers viz., Ramammal and Lakshmiyammal. Thereafter, the petitioner and the other legal heirs acquired the above said property by way of inheritance. While so, the above said properties were re-classified and brought under Rajapalayam Town survey numbers. Now, the properties are situate in Rajapalayam Town, Ward E, Block No. 17, T.S.Nos.2, 3/1, 3/2 and 3/3, and Block No.18, T.S.Nos.5/1 and 5/2. Since the boundaries of the above said properties got damaged and vanished, the petitioner made a representation dated 31.08.2024 to the first respondent with necessary fee to survey and fix boundaries. However, the same has not been done. Therefore, the present writ petition.

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 on 31.08.2024, a



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mandamus is issued to the respondents to conduct survey and subdivision of the petition mentioned 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 subdividing 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 one month from the date of receipt of a copy of this order.

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

30.09.2024

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

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To

1.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

2.The Surveyor,
Rajapalayam Firka,
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