



W.P.(MD) No.22651 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2024

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.22651 of 2023

Petchimuthu

... Petitioner

/vs./

1.The Tahsildar,
Madurai East Taluk Office,
Madurai District.

2.The Head Surveyor,
Office of East Taluk Office,
Madurai East Taluk Office,
Madurai District.

3.The Village Administrative Officer,
Aandarkottaram,
Madurai East Taluk Office,
Madurai 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 in the petitioner land in Survey No.59/2C2 to an extent of 33 cents situated at Aandarkottaram Village, Madurai East Taluk, Madurai District on the basis of



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online application dated 25.12.2022 and 24.08.2023.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.D.Nedunchezian
Government Advocate

ORDER

The above writ petition has been filed for the issue of a Writ of Mandamus to direct the respondents to conduct the survey in S.No.59/2C2, measuring an extent of 33 cents, situated at Aandarkottaram Village, Madurai East Taluk, Madurai District, by considering the online applications dated 25.12.2022 and 24.08.2023.

2. The case of the petitioner is that along with his relatives, namely, Sekar and Karthick, the petitioner has purchased the petition mentioned property from one, P.K.Vasanthi, who had executed a sale deed vide Doc.No.7103 of 2023 dated 26.12.2022 on the file of the Teppakulam Sub Registrar Office. Based on the aforesaid sale deed, the revenue records were mutated in their favour and they were also regularly paying the property tax. In such circumstance, one of the co-owner, namely Sekar made an application dated 27.12.2022 through online to the



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respondents to conduct the survey and later, the petitioner has also submitted one another representation dated 24.08.2023 to the respondent for the very same relief. Since the applications 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 August, 2023, a Mandamus is issued to the respondents to conduct survey. 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 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.



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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

11.09.2024

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To

- 1.The Tahsildar,
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Madurai District.
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P.T.ASHA, J.

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