



W.P.(MD) No.25060 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25060 of 2024

J.Johnrockiadoss

.. Petitioner

Vs.

1.The Assistant Director,
Tamil Nadu Land Survey Records Department,
Collectorate,
Dindigul District.

2.The Tahsildar,
Kodaikanal,
Dindigul District.

3.The Surveyor,
Kodaikanal,
Dindigul District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 3rd respondent to carry out survey and measurement in respect of the lands bearing in ward C, Block 4, T.S.No.27 and 28 at Kodaikanal Taluk, Nadiupuram, Kodaikanal payment receipt, dated 30.07.2024 and 31.07.2024 within stipulated time fixed by this Court.



W.P.(MD) No.25060 of 2024

WEB COPY

For Petitioner : Mr.U.Antony Santhosh
For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

This writ petition is filed for a mandamus to direct the 3rd respondent to carry out survey and measurement in respect of the lands in ward C, Block 4, T.S.No.27 and 28 at Kodaikanal Taluk, Nadiupuram, Kodaikanal based on payment receipts, dated 30.07.2024 and 31.07.2024.

2. The case of the petitioner is that his father has purchased the petition mentioned property. After purchasing the same, he has been in possession and enjoyment of the same. Meanwhile, the petitioner's father had passed away. Thereafter, the petitioner had made a representation to the respondents to enter his father's name in 'A' register. Since the same was not considered, the petitioner had filed W.P(MD)No.18695 of 2019. However, the petitioner's father name has not been entered in 'A' register.



W.P.(MD) No.25060 of 2024

WEB COPY

3. In the meanwhile, the adjacent land owners were tried to encroach the petitioner's property. Therefore, the petitioner had made an application on 23.08.2023 for conducting survey. Since the same did not evoke any response, the petitioner had sent another representation on 30.07.2024 and had paid necessary fee for conducting survey. However, no survey has been conducted. Therefore, the petitioner is before this Court.

4. Heard the learned counsel on either side.

5. Considering the request of the petitioner and also the fact that the petitioner has made his application as early as in August, 2023, 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 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 demarcating the property or rejecting the request. In



W.P.(MD) No.25060 of 2024

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.

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

23.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Assistant Director,
Tamil Nadu Land Survey Records Department,
Collectorate,
Dindigul District.

2.The Tahsildar,
Kodaikanal,
Dindigul District.

3.The Surveyor,
Kodaikanal,
Dindigul District.



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W.P.(MD) No.25060 of 2024

P.T.ASHA, J.

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W.P.(MD) No.25060 of 2024

23.10.2024