



W.P.(MD) No.25341 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25341 of 2024

Chandrasekaran

.. Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Madurai North, Madurai.

2.The Head Surveyor,
O/o. The Tahsildar,
Madurai North, Madurai.

3.Panbalan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to survey the land in connection with survey Nos.32/9 and 35/2 situated at Melapanangadi, Madurai North, Madurai by considering the petitioner's representation dated 24.09.2021.

For Petitioner : Mr.P.Kanirajan



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For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

Seeking a mandamus to the respondents to survey his land in connection with survey Nos.32/9 and 35/2 situate at Melapanangadi, Madurai North, Madurai, by considering his representation dated 24.09.2021, the petitioner is before this Court.

2. The case of the petitioner is that the property in S.Nos.32/9 and 35/2 of the aforesaid village, originally belonged to his grandfather Perumal Thevar, who died intestate on 27.01.1980 leaving behind the one Rajanga Thevar and Swamikannu as his legal heirs. Swamikannu has three daughters and a son viz., the third respondent herein. The petitioner is the son of Rajanga Thevar. S.No.39/9 measuring an extent of 1 acre 47½ cents and S.No.35/2 measuring an extent of 7 cents stand in the name of the petitioner and the said Swamikannu. Patta was also transferred in their names. The petitioner would submit that both he and



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the said Swamikkanu had jointly given a representation in the year 2016 to survey the entire property by remitting necessary fee. While so, Swamikannu also passed away and thereafter, the petitioner again made a representation on 24.09.2021 to survey the property. However, to date, there is no progress to survey the land. 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 in the year 2016 along with Swamikannu and again on 24.09.2021, a mandamus is issued to respondents 1 and 2 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 1 and 2 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



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rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

24.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Office of the Tahsildar,
Madurai North, Madurai.

2.The Head Surveyor,
O/o. The Tahsildar,
Madurai North, Madurai.



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P.T.ASHA, J.

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