



W.P(MD)No.24264 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.24264 of 2024

V. Thiruvettapothi

... Petitioner

Vs

1.The District Collector,
Tenkasi District.

2.The Assistant Director of Land and Survey,
O/o. the Assistant Director of Land and Survey Records,
Tenkasi District.

3.The Tahsildar,
Sivagiri Taluk,
Tenkasi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 & 3, to survey and fix the boundary marks of the petitioner's land in S.No. 365/1, bearing Patta No.1628, which is situated in Thirumalapuram Village, Sivagiri Taluk, Tenkasi District based on the petitioner's application, dated 05.08.2024.



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For Petitioner : Mr.V. Gurusamy,
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner, with a grievance that his application, dated 31.05.2023 for survey of his property in S.No. 365/1, Thirumalapuram Village, Sivagiri Taluk, Tenkasi District has not been considered by the respondents so far, has approached this Court.

2.The learned counsel appearing for the petitioner submits that the petitioner has submitted an application on 31.05.2023 to survey his property and also sent a reminder on 15.08.2024. Even then, the respondents have not acted upon it.

3.Mr.B.Saravanan, learned Additional Government Pleader takes notice for the respondents and submits that they have issued a notice to the petitioner on 08.10.2024, fixing the date of



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survey on 15.10.2024 and the Survey Officer has also went to the petitioner's place. However, the petitioner was not available at that time. Therefore, the survey could not be conducted. The learned Additional Government Pleader has also shown the call details of the survey officer and submits that they have contacted the petitioner through his mobile phone, however, he has not attended the call.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner has approached this Court that his application, dated 31.05.2023 for survey of his land has not been considered. It appears that the petitioner has also sent a reminder in the month of August – 2024. On the side of the respondents, it is claimed that they have issued a notice to the petitioner on 08.10.2024 and went to the petitioner's place for conducting survey on 15.10.2024, however, he was not available. This Court is unable to accept this contention of the respondents. More over, the notice,



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which is said to have been issued to the petitioner by the respondents is not placed before this Court.

6. In view of the above, this writ petition is disposed of with a direction to the respondents to conduct survey in the petitioner's property on **24.10.2024 at 10.00 a.m.**, without fail. The petitioner need not expect any separate notice from the Survey Officer and he shall be available on 24.10.2024. No costs.

17.10.2024

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

Note: Issue order copy on **17.10.2024.**



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- To
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 - 3.The Tahsildar,
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B.PUGALENDHI, J.

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Order made in
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17.10.2024