



W.P.(MD) No.25136 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.25136 of 2024

Madasamy

.. Petitioner

Vs.

1.The Tahsildar,
O/o. Taluk Office,
Eral Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
O/o Taluk Office,
Eral Taluk,
Thoothukudi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the Respondents 1 and 2 to Survey and Demarcate the property comprised in Survey No. 317/3B, to an extent of 0.09.5 Hectares Punja Land, the property is situated at Mela Vellamadam, Vellamadam village, Eral taluk, Thoothukudi district, based on the petitioner's representation, dated 04.09.2024 within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Mandhiralingeswaran
For Respondents : Mr.P.Thambidurai
Government Advocate



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ORDER

This writ petition is filed for a mandamus to direct the respondents 1 and 2 to survey and demarcate the property comprised in Survey No. 317/3B, to an extent of 0.09.5 Hectares Punja Land situated at Mela Vellamadam, Vellamadam village, Eral taluk, Thoothukudi district, based on the petitioner's representation, dated 04.09.2024.

2. The case of the petitioner is that he has purchased the petition mentioned property under a registered sale deed. Since then, he has been in possession and enjoyment of the property. Now, the adjacent land owners are trying to encroach his property. Hence, the petitioner had made an application on 29.08.2024 and had paid necessary fee for conducting survey. Once again, the petitioner had submitted a detailed representation to the respondents on 04.09.2024. Since no action has been taken on the side of the respondents, the petitioner is before this Court.

3. Heard the learned counsel on either side.



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4. Considering the request of the petitioner and also the fact that the petitioner has made his application as early as in August, 2024, 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 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.

5. 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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P.T.ASHA, J.

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To

- 1.The Tahsildar,
O/o. Taluk Office,
Eral Taluk,
Thoothukudi District.
- 2.The Taluk Surveyor,
O/o Taluk Office,
Eral Taluk,
Thoothukudi District.

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