



W.P.(MD) No.25003 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25003 of 2024

Antony Earnest Mariendram

.. Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to conduct survey the petitioner's land in patta No.266 situated at S.F.No. 81-Sub Division 2 at Periyasampuram, Vilathikulam Taluk, Thoothukudi District by way of considering petitioner's application, dated 01.10.2024.

For Petitioner : Mr.R.Jegadeeswaran

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



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ORDER

This writ petition is filed for a mandamus to direct the respondents to conduct survey in patta No.266 situated at S.F.No. 81-Sub Division 2 at Periyasampuram, Vilathikulam Taluk, Thoothukudi District by way of considering petitioner's application, dated 01.10.2024.

2. It is the contention of the petitioner that the above property was purchased by his grand-mother, namely Mariya Thresammal under a registered sale deed, dated 23.03.1956. After the demise of his grand-mother, her sons had effected partition. As per the partition, the petitioner's father was enjoying his property. After the demise of his father, the petitioner has been in possession and enjoyment of the same. On 01.10.2024, the petitioner had made an application and had also paid necessary fee for conducting survey. Since the same has not been considered to date, 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 representation on 01.10.2024, 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 three (3) months 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,
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Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Taluk Office,
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