



W.P.(MD) No.25321 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.25321 of 2024

B.V.Rajalingam

.. Petitioner

Vs.

1.The Tahsildar,
Budalur Taluk,
Thanjavur District.

2.The Head Surveyor,
Budalur Taluk,
Thanjavur District.

.. 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 belongs to the petitioner's land in S.Nos.125 and 127 situated at Kovilpathu Village, Budalur Taluk, Thanjavur District, and S.No.254/2, situated at Budalur Village, Budalur Taluk, Thanjavur District, on the basis of the representation of the petitioner dated 30.08.2024 within stipulated time to be fixed by this Court.

For Petitioner : Mr.G.Karnan



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

ORDER

This writ petition has been filed for a mandamus, directing the respondents to survey the land in S.Nos.125 and 127 situate at Kovilpathu Village, Budalur Taluk, Thanjavur District, and S.No.254/2, situate at Budalur Village, Budalur Taluk, Thanjavur District, on the basis of the representation of the petitioner dated 30.08.2024.

2. The case of the petitioner is that the property in S.Nos.254/2 and 125 and 127 of the aforesaid villages are his ancestral property along with S.Nos.130/2, 130/3, 123/6 and 130/4 and the petitioner was granted patta in respect of the petition mentioned lands and is enjoying the same without any disturbance. While so, the petition mentioned properties were leased out to third parties. Subsequently, the petitioner had also redeemed the same and is in possession and enjoyment of the same. Since the petitioner wanted to fence his property, he approached the



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respondents to survey his properties. The petitioner has also paid a sum of Rs.2,320/- on 30.08.2024 to survey the land followed by a written representation on the very same day. Since no action has been taken on the same to date, the petitioner is before this Court.

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 as on 30.08.2024, a mandamus is issued to the respondents 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 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 rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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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,
Budalur Taluk,
Thanjavur District.

2.The Head Surveyor,
Budalur Taluk,
Thanjavur District.



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P.T.ASHA, J.

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