



W.P.(MD) No.25608 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

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S.Santhanam

.. Petitioner

Vs.

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

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

3.Petchiammal

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to survey and demarcate the petitioner's property comprised in Survey No. 240/3 to an extent of 162 sq. mts. of house site situated at Kadalkudi Village, Vilathikulam Taluk, Thoothukudi District.



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For Petitioner : Mr.R.Murugan

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

ORDER

This writ petition has been filed for a mandamus to direct the respondents to survey and demarcate the petitioner's property comprised in Survey No.240/3 measuring an extent of 162 sq. mts. of house site situate at Kadalkudi Village, Vilathikulam Taluk, Thoothukudi District.

2. The case of the petitioner is that the abovesaid property originally belonged to his father and patta was issued jointly in the name of the petitioner, his brothers and father. The Deputy Tahsildar attached to the first respondent's office illegally transferred the patta in the name of the third respondent, which was challenged by the petitioner before the Revenue Divisional Officer, Kovilpatti. Subsequently, the patta issued in the name of the third respondent was cancelled. Thereafter, the petitioner made a representation to the first and second respondents to



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survey and demarcate the property. However, no action has been taken on the same. Therefore, the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the case of the petitioner and also the fact that the petitioner has applied for a patta as early as on 25.09.2024, 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 third respondent, 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 three months 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.

28.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

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

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



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P.T.ASHA, J.

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