



W.P.(MD) No.25772 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25772 of 2024

and

W.M.P(MD)No.21840 of 2024

Shanthirani

.. Petitioner

Vs.

1.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

2.The Head Surveyor,
Palayamkottai Taluk,
Tirunelveli District.

3.V.Shankaranarayanan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the official respondents to survey and demarcate the four boundaries and issue the sub division patta in respect of the Petitioner's lands comprised in Plot Nos.212 and 213 in Survey No.118/8, situates at Child Jesus Street, Rettiyarpatti village, Palayamkottai Taluk, Tirunelveli District in the light of the the application, dated 03.09.2024 made by the petitioner within the period that may be stipulated by this Court.



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For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to the official respondents to survey and demarcate the four boundaries and issue the sub division patta in respect of the Petitioner's lands comprised in Plot Nos.212 and 213 in Survey No.118/8, situated at Child Jesus Street, Rettiyarpatti village, Palayamkottai Taluk, Tirunelveli District in the light of the application, dated 03.09.2024 made by the petitioner.

2. It is the contention of the petitioner that the petition mentioned property was originally belonged to one Madasamy and the same was sold to the petitioner through his power agent, namely Anthony Durairaj vide settlement deed, dated 14.08.1995. Subsequently, a joint patta was issued including the name of the petitioner on 13.06.2024. In the year 1991, the petitioner got married and shifted to Theni. When the petitioner



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had approached the private surveyor in order to fence the property in the year 2023, he was informed that a portion of his property has been wrongly included in his adjacent land owner's property. Hence, he had made an application on 02.09.2024 to the 2nd respondent and had also paid necessary fee for conducting survey. Since the same did not evoke any response, 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' had made his application in September 2024, a Mandamus is issued to the respondents 1 to 2 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 1 and 2 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



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aforesaid exercise shall be completed within a period of two (2) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

28.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

2.The Head Surveyor,
Palayamkottai Taluk,
Tirunelveli District.



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P.T.ASHA, J.

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