



W.P.(MD) No.26066 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.26066 of 2024

Palaniyandi

.. Petitioner

Vs.

1.The Tahsildar,
Natham Taluk Office,
Natham, Dindigul District.

2.The Head Surveyor,
Natham Taluk Office,
Natham, Dindigul District.

3.The Inspector of Police,
Natham Police Station,
Natham, Dindigul District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 1st and 2nd respondents herein to measure and demarcate the petitioner's property in Survey No.524/1A to an extent of 17.95 Ares, Survey No.524/3A to an extent of 1.72 Ares and Survey No.525/1A1 to an extent of 16.80 Ares situated at Sathampadi Village, Natham Taluk, Dindigul District based on the petitioner's representation dated 18.06.2024 with assistance of the 3rd respondent Police.



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For Petitioner : Mr.G.Gomathisankar
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.K.Gnanasekaran
Government Advocate (Crl. Side)

ORDER

The petitioner has filed this writ petition for a mandamus to direct the first and second respondents to measure and demarcate his property in Survey No.524/1A (to an extent of 17.95 Ares), Survey No.524/3A (to an extent of 1.72 Ares) and Survey No.525/1A1 (to an extent of 16.80 Ares) situate at Sathampadi Village, Natham Taluk, Dindigul District based on the petitioner's representation dated 18.06.2024 with the assistance of the third respondent Police.

2. The case of the petitioner is that the aforesaid property originally belonged to one Rajaram, after whose demise, the property was inherited by his legal heirs viz., Arun and Aruna and subsequently, they executed a Power Deed dated 27.03.2024 in favour of one



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Aandisamy. The petitioner has purchased the property from the said Aandisamy through registered sale deed and from the date of purchase, he has been in possession and enjoyment of the same. The petitioner would submit that he made a representation before the first respondent on 18.06.2024 to survey the aforesaid property, which has not evoked any response. Therefore, 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 18.06.2024, a mandamus is issued to the first and second 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 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 subdividing the property or rejecting the request. When the authorities go for survey and



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when police protection is asked, the jurisdictional police shall provide the same. 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.

5. With the above directions, this Writ Petition is allowed. No costs.

30.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr



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P.T.ASHA, J.

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