



W.P.(MD) No.26069 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.26069 of 2024

D.Ajithkumar

.. Petitioner

Vs.

1.The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.

2.The Firka Surveyor,
Kovilpatti Taluk, Kovilpatti,
Thoothukudi District.

.. 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 fix the boundaries for the petitioner's land to an extent of 1089 sq.ft. (101.17 sq.mt.) in Survey No.358/2B1, Patta No.1597 situated at Villicheri - 1 Village, Kovilpatti, Thoothukudi District, as per the sale deed in Doc.No.1313 of 2020 dated 24.07.2020 based on the petitioner's representation and E-challan payment receipts dated 19.04.2022 and 08.06.2022 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.K.Sankar
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Seeking a mandamus to the respondents to survey and fix the boundaries for his land to an extent of 1089 sq.ft. (101.17 sq.mt.) in Survey No.358/2B1, Patta No.1597 situate at Villicheri-1 Village, Kovilpatti, Thoothukudi District, as per the sale deed in Doc.No.1313 of 2020 dated 24.07.2020 based on his representation and E-challan payment receipts dated 19.04.2022 and 08.06.2022, the petitioner is before this Court.

2. The case of the petitioner is that he purchased the aforementioned property from one Balaiah through registered sale deed dated 24.07.2020. Thereafter, he applied for survey and boundary of his property and paid necessary fee. But the respondents have not taken any steps to conduct survey. Therefore, the petitioner approached the District Collector, Thoothukudi by way of his representation dated 23.01.2023,



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who issued proceedings dated 01.02.2023 to the first respondent to conduct the survey and fix boundaries. Even thereafter, the first respondent has not taken any steps to survey the land. Hence, the present writ petition.

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 23.01.2023, 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 six 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.

30.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.

2.The Firka Surveyor,
Kovilpatti Taluk, Kovilpatti,
Thoothukudi District.



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P.T.ASHA, J.

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