



W.P.(MD)No.26861 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.26861 of 2024

Chidhambram

... Petitioner

Vs.

- 1.The Tahsildar,
East Taluk,
Dindigul District.
- 2.The Head Surveyor,
Dindigul District.
- 3.The Surveyor,
West Taluk,
Dindigul District.
- 4.The Inspector of Police,
Vadamadurai,
Dindigul District.
- 5.Chinnaya
- 6.Gurunatham
- 7.Irulappan
- 8.Muthuraj

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to survey the petitioner property and demarcate the four boundaries in Survey No.407/34 situated at Periyakottai Village, Dindigul District with aid of 4th respondent and consequently direct the respondents 1 to 3 to serve the report of the same to petitioner within the time frame fixed by this Court.

For Petitioner : Mr.P.Manikandan
For R1 – R3 : Mr.M.Muhtumanikkam
Government Advocate
For R4 : Mr.K.Gnanasekaran
Government Advocate(Crl.Side)

ORDER

This writ petition has been filed for a direction to the respondents 1 to 3 to survey the petitioner's property and demarcate the four boundaries in Survey No.407/34 situated at Periyakottai Village, Dindigul District with aid of 4th respondent and consequently direct the respondents 1 to 3 to serve the report of the same to petitioner.

2. The petitioner has purchased the property in Survey No.407/34 at Periyakottai Village, Dindigul District under Document No.2799/2004 vide sale deed, dated 19.07.2004. In pursuance to the purchase, the petitioner has been in



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possession and enjoyment of the said property. The petitioner was also issued with patta in Patta No.2873. The petitioner filed an application for conducting survey and for demarcation of boundaries of his lands to the 3rd respondent on 22.04.2024. Based on the petitioner's application, the 3rd respondent surveyed the property. Not satisfied with the survey report, the petitioner preferred an appeal before the 1st and 2nd respondents on 06.09.2024. As the respondents 1 and 2 did not take any steps, the petitioner was constrained to file the writ petition for the aforesaid relief.

3. The learned counsel for the petitioner submits that though he has prayed for fresh survey of his lands, it would suffice, if a direction is issued to the respondents to pass orders on his appeal preferred on 06.09.2024.

4. The learned Government Advocate appearing for the respondents 1 to 3 submits that the notice of enquiry will be issued in the appeal and sufficient time may be granted to dispose of the appeal on merits.

5. As the petitioner has already filed an appeal to the respondents 1 and 2 on 06.09.2024, the prayer in the writ petition cannot be countenanced. Hence, a direction is issued to the respondents 1 and 2 to dispose of the petitioner's



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appeal, dated 06.09.2024 within a period of eight (8) weeks from the date of

receipt of copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs.

12.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The Tahsildar,
East Taluk,
Dindigul District.
- 2.The Head Surveyor,
Dindigul District.
- 3.The Surveyor,
West Taluk,
Dindigul District.
- 4.The Inspector of Police,
Vadamadurai,
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N.MALA, J.

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