



WP(MD)No.28757 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **02.12.2024**

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.28757 of 2024

Murugesan

...Petitioner

Vs.

1.The Assistant Director of Survey and Land Records,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Sirvengam Revenue Division,
Srirengam,
Trichy District.

3.The Tahsildar,
Manapparai Taluk Office,
Manapparai,
Trichy District.

4.The Taluk Surveyor,
Manapparai Taluk Office,
Manapparai,
Trichy District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus, directing the respondents 2 to 4 to dispose the proceedings in Na.Ka.A7/1125/2024 dated 09.05.2024 and rectify the FMB in respect of survey number 364 situated at Sekkanam



WP(MD)No.28757 of 2024

Village, Manapparai Taluk, Trichy District on the basis of petitioner's representation dated 28.10.2024.

For Petitioner : Mr.T.Vadivelan
For R1 to R4 : Mr.M.Muthumanikkam
Government Advocate

ORDER

This Writ Petition is filed for issuance of writ of mandamus directing the respondents 2 to 4 to dispose the proceedings in Na.Ka.A7/1125/2024, dated 09.05.2024 and rectify the FMB in respect of S.No.364 situated at Sekkanam Village, Manapparai Taluk, Trichy District on the basis of petitioner's representation, dated 28.10.2024.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The subject property in Survey No.364/1AE, 1E, 1I, 1L, 1U and 1W to an extent of 0.35.04 hectares was allotted to the the petitioner's father under the partition deed, dated 12.10.2023. Based on the partition



WP(MD)No.28757 of 2024

deed, the petitioner's father applied for patta before the revenue authorities and the patta was also issued in the name of the petitioner's father in Patta No.3284. While so, the petitioner came to know that in the FMB in respect of the subject property measurement was wrongly entered at the time of sub division by the revenue authorities. The petitioner also found that there was three different FMB's in respect of the Survey No.364. Therefore, he made an application before the second respondent for rectification of the FMB in respect of the survey No.364. The second respondent on receipt of the application forwarded the same to the third respondent for enquiry vide proceedings in Na.Ka.A7/1125/2024, dated 09.05.2024. The petitioner's application was kept pending without any progress. The petitioner submitted a representation to the second respondent on 28.10.2024 and even thereafter, no action was taken and therefore, the petitioner filed the above writ petition for the above said relief.

5. It is seen that though the second respondent communicated to the third respondent to conduct an enquiry and submit a report as early as on 09.05.2024, no action has been taken till date in respect of the petitioner's representation, dated 28.10.2024 and therefore, this Court is



WP(MD)No.28757 of 2024

inclined to direct the third respondent to conduct a survey by giving notice to all the interested parties and submit a report as per the direction of the second respondent, dated 09.05.2024, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the said report of the third respondent, the second respondent shall pass orders on merits and in accordance with law within a period of four weeks, thereafter. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above observations, the writ petition stands allowed.

No costs.

02.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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N.MALA,J.

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