



W.P(MD)No.i

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.824 of 2024

V.Duraisingam

..Petitioner

Vs

1.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Ramanathapuram Taluk,
Ramanathapuram District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey the petitioner's lands under Survey No.719/1A1 at Pampan Village, Ramanathapuram District as per the application under No.2023/0123/27/000049 dated 09.12.2023 within the time fixed by this Court.



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For Petitioner :Mr.K.R.Laxman
For Respondents :Mr.P.Thambidurai
Government Advocate

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the respondents to survey the petitioner's lands in Survey No.719/1A1 at Pamban Village, Ramanathapuram District as per the application No.2023/0123/27/000049, dated 09.12.2023.

2. By consent, this writ petition is disposed of at the admission itself.

3. Heard Mr.K.R.Laxman, learned counsel appearing for the petitioner and Mr.P.Thambidurai, learned Government Advocate appearing for the respondents.

4. According to the petitioner, on 22.04.2022 one Pradeep Jegatheesan, So.Thanasekar, who is the original owner of the above said land, executed a sale agreement in favour of the petitioner and one Sevagarathinam, S/o.Sethuraman. The



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petitioner wants to survey the land before purchasing the same. If only the land is surveyed and the exact measurement is fixed, the price can be fixed for the actual available land in the field. On 29.11.2023 the petitioner has gave an application for surveying the properties and necessary fees are also paid, but the respondents have not taken any action to survey the land. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. It is seen from the typed set of papers that there is a sale agreement between the petitioner and one Pradeep Jegadeesan. The said Pradeep Jegadeesan intending to sell the property to the petitioner for valuable sale consideration. The learned counsel for the petitioner submits that the respondents have to measure the property as per the Act to avoid the multiplicity of proceedings.

6. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner has not produced any valid documents to measure the property and appropriate direction may be given to the respondents to consider the petitioner's application, dated 09.12.2023, in accordance with law, within a time frame.

7. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to



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consider the petitioner's application No.2023/0123/27/000049, dated 09.12.2023 and the documents being produced by the petitioner after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence and pass orders in accordance with law and communicate the decision taken by the respondents to the petitioner and others concerned. Such exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8.This Writ Petition stands disposed of with the above directions. No costs.

Index : Yes/No

Internet:Yes/No

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18.01.2024

To

1.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

2.The Head Surveyor,
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V.BHAVANI SUBBAROYAN, J.

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