



WEB COPY



WP.No.1085 of 2025

In the High Court of Judicature at Madras

Dated : 21.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1085 of 2025

Murugan

Vs

...Petitioner

1.The Tahsildar, Shoolagiri
Taluk, Krishnagiri District.

2.The Head Surveyor
Shoolagiri Taluk
Krishnagiri District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to survey the petitioner's property comprised in S.No.18/4 measuring to an extent of 1.19.50 hectares (2.95 acres) situated at Betha Sigaralapalli Village, Shoolagiri Taluk, Krishnagiri District within a stipulated period by considering his application dated 09.11.2024 and the consequential representation dated 19.11.2024.

For Petitioner : Mr.M.Mohamed Riyaz
For Respondents : Mr.R.P.Murugan Raja, GA

ORDER

Seeking a direction to the respondents to consider the online



WP.No.1085 of 2025

application dated 09.11.2024 and the representation dated 19.11.2024 to conduct a survey in respect of the property in S.No. 18/4 measuring to an extent of 1.19.50 hectares (2.95 acres) situated at Betha Sigaralapalli Village, Shoolagiri Taluk, Krishnagiri District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondents.

3. The case of the petitioner is that the petitioner along with one Mr.Srinivasan, S/O Venkatesh purchased the subject property from one Mr.V.Nagaraj through a general power of attorney vide sale deed dated 01.8.2024 registered as doc.No.5108 of 2024 on the file of the Sub-Registrar, Shoolagiri. Ever since the date of purchase, they have been in possession and enjoyment of the subject property. Further, a patta was also issued in their favour. In order to fence the subject property, the other co-sharer namely the said Mr.Srinivasan made an online application dated 09.11.2024 to the first respondent. In addition to that, the said Mr.Srinivasan and the petitioner made a representation dated 19.11.2024 to the respondents by paying necessary charges seeking to conduct a survey. But, the same have not been taken up for consideration. Hence the writ petition.



WP.No.1085 of 2025

WEB COPY

4. The fact that the subject property belongs to the petitioner and the said Mr.Srinivasan is seen from the narration in the affidavit filed in support of the writ petition. Since they acquired the subject property by way of purchase, they requested the first respondent to conduct a survey.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to conduct a survey in respect of the subject property. The petitioner shall submit all the relevant records to show their title to the subject property and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter pass orders either surveying the subject property or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

RS

21.1.2025



WEB COPY



WP.No.1085 of 2025

P.T.ASHA,J

RS

To

1.The Tahsildar, Shoolagiri
Taluk, Krishnagiri District.

2.The Head Surveyor
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Krishnagiri District.

WP.No.1085 of 2025

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