



WP.No.1543 of 2025

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In the High Court of Judicature at Madras

Dated : 24.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1543 of 2025

Amavasai

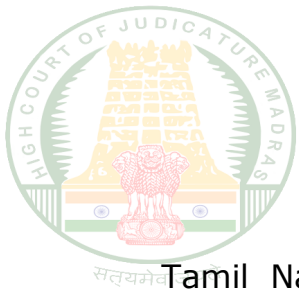
Vs

...Petitioner

- 1.The District Collector,
Collectorate, Chengalpattu
District, GST Road,
Chengalpattu-603001.
- 2.The District Revenue Officer,
Collectorate, Chengalpattu,
GST Road, Chengalpattu-603001.
- 3.The Revenue Divisional Officer,
GST Road, Madurantakam,
Near RTO Office, Madurantakam.
603306.
- 4.The Head Surveyor, Madurantakam
Taluk, Madurantakam, Near RTO
Office, Madurantakam-603306.
- 5.The Tahsildar, Madurantakam,
GST Road, Madurantakam, Near RTO
Office, Madurantakam-603306.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 5 herein herein to conduct the survey of the petitioner's patta land situated at Periyavenmani, Maduranthakam, Chengalpattu District,



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Tamil Nadu comprised in Survey Field Number 262/11 as per the application for the survey dated 27.9.2024 and to lay boundary stones to demarcate the petitioner's property and provide a detailed report specifying the dimensions including the length and breadth of the land along with the adjacent filed survey numbers within a time frame as fixed by this Court.

For Petitioner : Mr.D.Dinesh
For Respondents : Mr.R.P.Murugan Raja, GA

ORDER

Seeking a Mandamus to respondents 4 and 5 to consider his application dated 27.9.2024 to conduct a survey in respect of the property measuring 560 sq.meters in survey No.262/11, Periyavenmani, Maduranthakam, Chengalpattu District and to demarcate its boundaries, 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 petitioner would contend that the subject property, which is a grama natham land, is his ancestral property. Originally, it was under the possession of his grandfather. After the demise of his



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grandfather, the subject property was in uninterrupted possession and enjoyment of the petitioner and his father and brother - one Mr.Mahendran. After the death of the petitioner's father, the subject property is in possession and enjoyment of the petitioner and his brother. During natham settlement scheme, a joint patta was issued in favour of the petitioner and his father and brother. Both the petitioner and his brother have constructed a thatched hut separately in the subject property.

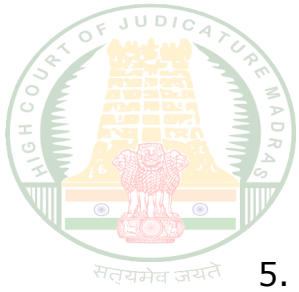
4. Due to torrential rain in December 2023, the hut got damaged completely, as a result of which, the petitioner sent a request to the Government seeking assistance for construction of a new house. By proceedings dated 14.3.2024, the petitioner was also granted financial assistance by the Government of Tamil Nadu for the construction of a concrete house. After receiving the financial assistance for the new pucca construction, the petitioner and his brother decided to partition the subject property. Hence, the petitioner made an online application dated 27.9.2024 to the fifth respondent by paying necessary charges seeking to conduct a survey in respect of the subject property and demarcate its boundaries. The petitioner also sent a representation dated 27.9.2024 to the fourth respondent with the same request. However, no action has been taken on that. Hence the writ petition.



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5. The fact that the subject property belongs to the petitioner and his brother is seen from the narration in the affidavit filed in support of the writ petition. Hence, the petitioner requested the fifth respondent to conduct a survey and demarcate the boundaries of the subject property.

6. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the fifth respondent to conduct survey in respect of the subject property. The petitioner shall submit all the relevant records to show his title to the subject property and the fifth 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 and demarcating its boundaries 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 8 weeks from the date of receipt of a copy of this order. No costs.

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P.T.ASHA,J

RS

To

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