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W.P.No.1873 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1873 of 2025

Samsudeen

...Petitioner

Vs.

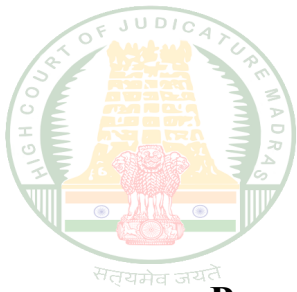
1.The Thasildar
Thasildhar Office,
Chidambaram

2.The Head Surveyor
Head Surveyor Office,
Chidambaram

3.The Village Administrative Officer
Village Administrative Office,
Killai South,
Chidambaram,
Cuddalore District

4.The Inspector of Police
Killai Police Station,
Killai Post,
Chidambaram Taluk,
Cuddalore District

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondents 1 to 3 survey the petitioners property with aid of the 4th respondent comprised in S. No 243/1, 1 acre 44 cents and 243/5 acre 0.09 cents situated at Killai Village South, Chidambaram Taluk, Cuddalore District.

For Petitioner	:	Mr. A.Murthy
For Respondents	:	Mr. P.Sathish
1 to 3		Additional Government Pleader
For Respondent 4:		Mr. R.Vinoth Raja
		Government Advocate (Crl. Side)

ORDER

Seeking a mandamus to the respondents to survey the property, the petitioner is before this Court.

2. The petitioner submits that his father Mohammed Hussain was inducted as a tenant in the subject property on 15.05.1985 and he has been paying lease amount every year without any default. The said



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Mohammed Hussain died on 24.04.2017 leaving behind him surviving the petitioner and his siblings. The petitioner submits that he approached the SRO, Parankipettai, for registering the lease deed and the Sub Registrar directed him to get order from the Court.

3. Therefore, the petitioner filed W.P.No.9634 of 2024 before this Court, for registering the lease deed, in favour of the petitioner and his brothers, Hasunudeeen and Noordeen. This Court by order dated 08.04.2024 directed the Sub Registrar to register the document. The petitioners had called upon the respondents 1 to 3 to survey and measure the property thereafter. However, the respondents 1 to 3 have not come forward to measure the subject property. Therefore, the petitioner is before this Court seeking a mandamus to the respondents 1 to 3, to survey the subject property.

4. Heard the learned counsels on the either side and perused the records.



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5. Considering the facts and circumstances of the case, a mandamus is issued to the respondents 1 to 3, to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 4 weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is allowed. No costs.

27.01.2025

Index : Yes/No
Internet : Yes/No
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