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W.P.No.37748 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.37748 of 2024

Akkumari

Vs

...Petitioner

1.The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.

2.The Revenue Divisional Officer,
(Dharmapuri Division)
Office of the Revenue Divisional Officer,
Dharmapuri District.

3.The Head Surveyor,
Karimangalam Taluk,
Dharmapuri District

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to survey the land admeasuring an extent of 0.38.00 Hectares comprised in Survey No.394/5B1 situated at Eluminachanahali Village, Karimangalam Taluk, Dharmapuri District in the presence of the petitioner and to lay boundary stones by considering his online application bearing No.2024/0123/05/006197 dated 30.09.2024 along with the payment of necessary charges submitted to the respondents.



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For Petitioner : Mr.K.Senthil Kumar
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The present Writ Petition has been filed seeking direction to respondents to survey the petition mentioned property.

2.The petitioner's contention is that the property measuring an extent of 0.38.00 Hectares situated at Eluminachanahali Village, Karimangalam Taluk, Dharmapuri District, comprised in S.No.394/5B1 originally belonged to petitioner's father Mari. The said Mari died intestate on 19.07.2013 leaving behind the petitioner, wife Chinnammal, two daughters and three sons as his surviving legal heirs. Subsequently, petitioner and his family members had partitioned the said property under the partition deed dated 29.07.2020 as Document No.1340 of 2020 on the file of SRO, Karimangalamj. Thereafter, he made an online application bearing No.2024/0123/05/006197 dated 30.09.2024 to the respondents to survey the said property and he had paid the necessary charges. However, the survey has not been conducted to date. Therefore, the petitioner is before this Court.



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4. Considering the facts and circumstances of the case, mandamus is issued to the respondents 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 8 weeks from the date of receipt of a copy of this order.

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

02.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J,

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To

- 1.The Tahsildar,
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Dharmapuri District.
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(Dharmapuri Division)
Office of the Revenue Divisional Officer,
Dharmapuri District.
- 3.The Head Surveyor,
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