



WEB COPY



WP.No.38993 of 2024

In the High Court of Judicature at Madras

Dated : 06.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38993 of 2024

G.Premkumar

...Petitioner

Vs

1.The Tahsildar, Vanapuram
Taluk, Kallakurichi District.

2.The Head Surveyor,
Vanapuram Taluk,
Kallakurichi District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to survey and measure the boundaries of the petitioner's property situated at Pakkam Village, Vadapanparpi, Vanaparum Taluk, Kallakurichi District in new survey Nos.222A/1C5B and 222A/5 and total extent of 0.14 cents in doc.No.1195 of 2020 dated 23.7.2020 on the file of the SRO, Vadapanparpi, Kallakurichi District pursuant to the petitioner's representation dated 15.11.2024.

For Petitioner : Mr.T.Balachandran
For Respondents : Mr.G.Velu, AGP

ORDER

Seeking a Mandamus to the second respondent to consider the



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representation of the petitioner dated 15.11.2024 for conducting a survey and demarcating his property measuring 0.14 cents in new survey Nos.222A/1C5B and 222A/5, Pakkam Village, Vadapanparpi, Vanaparum Taluk, Kallakurichi District based on the settlement deed dated 23.7.2020 registered as doc.No.1195 of 2020 on the file of the Sub-Registrar, Vadapanparpi, Kallakurichi District, the petitioner is before this Court.

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

3. The petitioner would contend that he acquired the subject property pursuant to the said settlement deed dated 23.7.2020 executed by his father in his favour. Pursuant to that, he has become the absolute owner of the subject property and has been in possession and enjoyment of the same. The revenue records were also mutated in favour of the petitioner. The petitioner made an online application dated 02.10.2024 to the first respondent to conduct a survey in respect of the subject property and demarcate its boundaries by paying necessary charges. However, no action was taken on that. Hence, the petitioner made a representation dated 15.11.2024 to the first respondent to consider his request based on the online application



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dated 02.10.2024. As it did not evoke any response, the petitioner has come forward with this writ petition.

4. The fact that the subject property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner acquired the subject property pursuant to the said settlement deed, he requested the first respondent to conduct a survey and demarcate the boundaries.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second 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 second 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 three months from the date of receipt of a copy of this order. No costs.

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P.T.ASHA,J

RS

To

1.The Tahsildar, Vanapuram
Taluk, Kallakurichi District.

2.The Head Surveyor,
Vanapuram Taluk,
Kallakurichi District.

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