



W.P.(MD)No.5363 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2025

CORAM:

THE HON'BLE MR.JUSTICE P.B. BALAJI

W.P.(MD).No.5363 of 2025

B.Vignesh

... Petitioner

Vs.

1. The Commissioner,
Trichy City Corporation,
Cantonment,
Trichy.

2. The Assistant Commissioner,
Trichy City Corporation,
Zone -(II) Office,
Trichy City.

3. The Town Sub Inspector of Survey for Land,
Trichy City Corporation,
Zone -(II) Office,
Trichy City.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 2nd respondent and 3rd respondent herein to carry out survey petitioner's properties situated at Trichy District, Trichy City and Taluk, Joint-3 Sub Registration Office, Devadanam Village, Patta No.38, New S.F.No.8/3, (Old S.F.No.19/3) ward – E, Block-2, in the light of his application dated 08.05.2024.



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For Petitioner : Mr.R.Sakthivel

For Respondents : Mr.K.R.Kishore Ram
for M/s.RB Law Associates

ORDER

The instant writ petition has been filed seeking disposal of the petitioner's application dated 08.05.2024, for conducting survey.

2. Considering the limited scope of relief sought for in the writ petition, with the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

3. The learned counsel appearing for the petitioner would submit that based on the bequeths made under the Will of the petitioner's father, the property has become the absolute property of the petitioner. He would further submit that the petitioner has made an application before the 2nd respondent on 08.05.2024, to survey the subject property.



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4. The learned counsel appearing for the Trichy Corporation would submit that the Revenue Records stands in the name of a temple and no documents have been produced by the petitioner to evidence his claim of title over the subject property.

5. Be that as it may, considering the fact that the petitioner is only seeking disposal of his application dated 08.05.2024, the petitioner shall produce all relevant documents of title on which he would place reliance and subject to satisfaction of the 2nd respondent, the survey shall be conducted after hearing the objections of the temple in whose name the patta presently stands mutated. The enquiry shall precede the decision of the authority to conduct a survey or not and in the event of the 2nd respondent finding that there is some dispute with regard to title to the subject property, then the 2nd respondent shall direct the petitioner to approach the competent civil court to redress his grievance. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.



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6. The writ petition is disposed of with the above observations and directions. No costs.

28.02.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.B.BALAJI, J.

rgm

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