



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2025

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CORAM

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

W.P.(MD)No.5862 of 2025

K.Adhikari

: Petitioner

Vs.

1.The Tahsildar,
Theni Taluk,
Theni District.

2.The Firka Surveyor,
Tahsildar Office,
Theni,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to conduct survey in the petitioner's land in survey No.963/4 of Unjampatti Village, Theni Taluk, Theni District to the extent of 0.26.0 Ares as per the petitioner's application dated 20.09.2024 and based upon the petitioner's reminder dated 27.02.2025.

For Petitioner : Mr.K.K.Kannan

For Respondents 1 & 2 : Mr.C.Satheesh

Government Advocate



ORDER

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The petitioner seeks disposal of his application for survey dated 20.09.2024. The petitioner has approached this Court on the ground that though survey was fixed to be conducted on 09.10.2024, the officials did not conduct any survey. Thereafter, the petitioner has given a representation cum reminder on 27.02.2025.

2.Heard the learned Counsel for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents.

3.Learned Government Advocate would submit that patta is standing in joint names and one of them is the father of the petitioner. Therefore, unless they give consent, the officials would not be in a position to survey the petitioner's land based on the application dated 20.09.2024.

4.Considering the above, this Writ Petition is disposed of, in the following manner:

(i) The petitioner shall obtain "No Objection" from the co-pattathars, expressing no objection for the survey to be conducted based on the petitioner's application dated 20.09.2024;



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(ii) on such NOCs being furnished by the petitioner to the first respondent, the respondents shall proceed to conduct survey based on the petitioner's application dated 20.09.2024, after giving notice to any other interested persons;

(iii) The said exercise shall be completed within a period of eight [8] weeks from the date of the petitioner furnishing the NOCs of co-pattathars.

There shall be no order as to costs.

05.03.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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Theni District.

2.The Firka Surveyor,
Tahsildar Office,
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P.B.BALAJI., J.

MR

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