



W.P.(MD)No.8504 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

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

W.P.(MD)No.8504 of 2025

Suyambulingam

: Petitioner

Vs.

1. The Tahsildar,
Taluk Office,
Rathapuram Taluk,
Tirunelveli District.

2. The Taluk Surveyor,
Land Survey and Records,
Taluk Office,
Rathapuram Taluk,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the Respondents to survey and fix the four boundaries of the Petitioner's family lands bearing Survey No. 136/2 Patta No.491 and Survey Nos.430/2A2 and 430/3A1 - Patta No.3093, situated at Chettikulam Revenue Village, Rathapuram Taluk, Tirunelveli District.



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For Petitioner : Mr.R.Murugappan

For Respondents : Mr.B.Saravanan

Additional Government Pleader

ORDER

The petitioner has sought for issuance of a Writ of Mandamus, to survey the petitioner's family lands comprised in Survey No.136/2 in Patta No.491, Survey No.430/2A2 and Survey No.430/3A1 in Patta No.3093, situated at Chettikulam Revenue Village, Ratapuram Taluk, Tirunelveli District.

2.Heard the learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents.

3.As rightly contended by the learned Additional Government Pleader, insofar as survey of lands in Patta No.3093, there is no difficulty, since the patta is in the name of the petitioner himself. However, insofar as the patta No.491, it reflects the names of one Kumaravelayutha Nadar, son of Subramania Nadar and one Subramania Nadar son of Isakki Muthu Nadar. It is not known, how the petitioner is claiming right for these lands comprised in S.Nos.104/1G, 136/2 and 358/2B14. He has not stated in the



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affidavit, explaining the interest of the petitioner in the subject lands covered under Patta No.491 and no document has also been made available to substantiate the claim of the petitioner.

4. In view of the above, this Writ Petition is allowed in the following manner:

(i) Insofar as Patta No.3093, the authorities shall proceed to conduct survey based on the petitioner's application dated 10.01.2025;

(ii) insofar as the lands comprised in Patta No.491, the petitioner shall produce documentary evidence to substantiate his entitlement to seek for survey of said lands in respect of which patta stands in the names of the petitioner's relatives. The petitioner shall furnish consent affidavits or no objection certificates from the said pattathars and on being satisfied with the petitioner's entitlement to seek survey, the first respondent shall pass orders on the said representation of the petitioner, enclosing the documents in support of his claims and enquiry shall be conducted before taking a decision regarding the survey to be conducted on the



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petitioner's request. The said exercise shall be completed within a period of twelve [12] weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

27.03.2025

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



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To

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P.B.BALAJI., J.

MR

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