



W.P.(MD)No.10825 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.10825 of 2025

R.Ramaraj

.... Petitioner

/Vs/

1. The District Collector
Thoothukudi,
Thoothukudi District.
2. The District Revenue Officer
Thoothukudi Collector Office,
Thoothukudi District.
3. The Revenue Divisional Officer
Revenue Divisional Office, Kovilpatti,
Thoothukudi District.
4. The Tahsildar
Ottapidaram Taluk, Thoothukudi District.
5. V.Krishnamoorthy
6. G.Jeyasutha

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to conduct an



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enquiry in respect of the property situated in old S.No. 273/5 (Jamin Survey No. 497) present survey number 273/2A at Sillantham village, Ottapidaram Taluk, Thoothukudi District and direct the respondents 1 to 4 to conduct survey and fix the Survey Number and Boundary of the above said property by considering the petitioner's representation dated 24.02.2025 and 25.03.2025 and decide the same on merits and dispose it within the period stipulated by this Court.

For Petitioner : Mrs.M.Maria Vinola

For R1 to R4 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner seeks survey to be conducted based on the representation dated 25.03.2025.

2. I have heard Mrs.M.Maria Vinola, learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 to 4.

3. The learned counsel for the petitioner submit that the petitioner's father purchased the property way back in the year 1957 under the registered sale deed dated 21.8.1957 in document number 1196/1957. The said document does not contain any survey numbers, but however,



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the property purchased by the petitioner's father is bounded on all 4 sides by definite and certain boundaries. Therefore, in order to obtain patta in their names, subsequent to the demise of the petitioner's father, the petitioner and the other legal heirs have approached the respondents for identifying the property by conducting survey, subject to which, they will be in a position to make an application for patta in their joint names. However, the said request has been orally refused by the authorities stating that the registered document in favour of the petitioner does not contain survey number and that the petitioner also does not have patta in his name.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner has not made an online application and necessary payment has also not been made for survey to be conducted excepting for giving a representation on 25.03.2025. He would further pointing out the patta No.698, which is standing in the name of Krishnamoorthy and Jayasudha in respect of survey number 273/2A. The learned Additional Government Pleader would submit that the patta is mutated in the third parties name and



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therefore, the petitioner's request for survey cannot be undertaken.

5. However, the learned counsel for the petitioner submits that the property which is subject matter of patta in patta No.698 is not the property in respect of which survey is sought.

6. In the light of the above, considering the fact that the registered sale deed in favour of the petitioner's father contains 4 definite boundaries and the adjacent properties are also subdivided and patta issued for the land owners, it would suffice to direct the fourth respondent to conduct survey based on the registered document, boundaries mentioned therein and after putting on notice to the adjoining neighbouring land owners including Krishnamoorthy and Jayasudha and after hearing their objections, if any, the respondents shall attempt to survey and identify the petitioner's property. If such identification is possible, then the survey authorities shall demarcate the 4 boundaries of the petitioner's property based on the registered sale deed. It shall be open to the petitioner to take up further application for patta mutation of revenue records in accordance with law. The petitioner shall make



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necessary payment and an online application as mandated under the prevailing rules, within a period of four weeks from the date of receipt of a copy of this order. On such application, survey shall be conducted within a period of twelve weeks thereafter.

7. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.
am

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