



W.P.(MD)No.12348 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12348 of 2025

M.R.Sudhakar

... Petitioner

Vs.

1.The District Collector,
Karur,
Karur District.

2.The Assistant Director of Survey,
Karur,
Karur District.

3.The Tahsildar,
Krishnarayapuram Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to survey and fix the boundary of the landed property in S.F.No.185/1 to an extent of 0.28 ½ cents located at Manavasi Village, Krishnarayapuram Taluk, Karur District belongs to the petitioner by virtue of sale deed dated 29.08.1978 in Document No.782/78 registered before the Sub-Registrar, Krishnarayapuram, Karur District and another two more portion to an extent of 5,250 sq.ft and 6,000 sq.ft of the above said survey number is settled by mother in favour of the petitioner by virtue of settlement deed dated 24.08.2001 in Document No.1010/2001



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registered before the Sub-Registrar, Krishnarayapuram, Karur District aggregating to total extent of 11250 sq.ft and one more landed property under the S.F.No.185/1 to an extent of 4,000 sq.ft belongs to the petitioner's mother namely M.R.Andal by virtue of sale deed dated 23.04.1971 by Document No. 4770/1997 registered before the Sub-Registrar, Krishnarayapuram, Karur District based on the petitioner's application dated 21.03.2025 in accordance with law within time frame as fixed by this Court.

For Petitioner : Mr.N.Shanmuga Selvam

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of writ of mandamus to direct the respondents 2 and 3 to conduct survey and fix boundaries of the petitioner's property.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The petitioner based on a sale deed, dated 29.08.1978 and subsequent settlement deed, dated 24.08.2001 claims right to the subject property. The



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petitioner based on these documents has sought for survey and made an application on 21.03.2025 which he seeks disposal of, in and by way of this writ petition.

4. The learned Additional Government Pleader, on instructions, submits that the petitioner is not in physical possession and further the subject survey numbers which are sought to be surveyed are Government Natham lands.

5. I have carefully considered the submissions advanced by the learned counsel on either side.

6. Admittedly, for a person to have a survey conducted, it is not necessary for such person to be in physical possession of the subject lands. However, in the present case, since there appears to be a rival claim by the State that the lands are Government Natham lands, the 3rd respondent is directed to conduct due enquiry and also physical inspection to ascertain the possession of the writ petitioner. The petitioner shall also produce all relevant documents in support of the claim for title to the subject lands in S.F.No.185/1. The 3rd respondent shall consider the same and also the findings of the enquiry as well as inspection, shall decide the application of the petitioner for issuance of patta. It is made



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clear that if the lands are only Government Natham lands, then the petitioner, if

found to be in possession, shall be entitled to issuance of Natham Patta. The said exercise shall be carried out within a period of twelve (12) weeks from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition stands disposed of. No costs.

28.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The District Collector,
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Karur District.
- 2.The Assistant Director of Survey,
Karur,
Karur District.
- 3.The Tahsildar,
Krishnarayapuram Taluk,
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P.B.BALAJI, J.

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