



W.P.(MD) No.11761 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.11761 of 2024

and

W.M.P(MD)No.10506 of 2024

K.Palanisamy

... Petitioner

vs.

1.The Revenue Divisional Officer,
Palani, Dindigul District-624 601.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

3.The Head Surveyor,
Palani Taluk,
Dindigul District.

4.The Village Administrative Officer,
Kanakkanpatti Village,
Palani Taluk,
Dindigul District.

5.K.Arunachalam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to conduct proper survey of entire S.No.609/2 situated at Kanakkanpatti Village, Palani Taluk, Dindigul District, with old revenue records and other documents relating to said lands



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executed between by the petitioner and the fourth respondent and issue patta to the petitioner in said survey number, after due subdivision and rectification of the FMB and consequently take appropriate action against the respondents 3 and 4 for their alteration of revenue records.

For Petitioner : Mr.V.R.Shanmuganathan

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

Mr.H.Lakshmi Shankar for R5

ORDER

The petitioner has sought for issuance of a Writ of Mandamus to direct the official respondents to conduct survey of S.No.609/2 situated at Kanakkanpatti Village, Palani Taluk, Dindigul District, in line with the old revenue records and other relevant documents relating to the subject lands, especially keeping in view the registered partition deed entered into between the petitioner and his brother, the fifth respondent, in the year 2021.

2.Heard the learned counsel on either side.

3.The grievance of the petitioner is that pursuant to the partition deed in the year 2021, the petitioner was allotted 1.41 acres in S.No.609/2 and the said extent



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was duly recorded in the patta as well as the FMB. However, subsequent to the sale of certain portions of the said property, the records have been incorrectly mutated and a lesser extent has been shown in the said S.No.609/2C1 and even though an extent of land of S.No.609/2C2 has been conveyed by the petitioner in the FMB sketch. The said extent has not even been reflected in the revenue records of the year 2020, despite the same being reflected in 2015 records. The petitioner only seeks survey to rectify these anomalies.

4.The learned counsel for the fifth respondent would submit that his interests should not be affected by virtue of the survey being sought for by the petitioner.

5.Considering the above, it would suffice to direct the respondents 2 and 3 to conduct a survey in the presence of the petitioner and his brother, the fifth respondent and after hearing the objections if any, of the fifth respondent, the second respondent shall proceed to have the survey concluded, based on the petitioner's request and specifically addressing the grievance of the petitioner regarding the lesser extent being reflected as well as the missing S.No.609/2C2. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

07.03.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1. The Revenue Divisional Officer,
Palani, Dindigul District-624 601.
2. The Tahsildar,
Palani Taluk,
Dindigul District.
3. The Head Surveyor,
Palani Taluk,
Dindigul District.
4. The Village Administrative Officer,
Kanakkanpati Village,
Palani Taluk,
Dindigul District.



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P.B.BALAJI, J.

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