



W.P.(MD) No.16448 of 2025

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.06.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.16448 of 2025

D.Jothi Venkatesan

... Petitioner

Vs

1. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Illupur,
Pudukkottai District.

2. The Tahsildhar,
Taluk Office,
Viralimalai,
Pudukkottai District.

3. The Taluk Head Surveyor,
Taluk Office,
Viralimalai,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 and 3 to survey the land in S.F.No. 190/30 situated at Viralimalai Village, Pudukkottai District and fix four boundaries and consequently directing the 2nd respondent to issue FMB with respect to S.F.No. 190/30 situated at Viralimalai Village, Pudukkottai District based on petitioner's representations dated 07.04.2025 and 27.05.2025.



WEB COPY



W.P.(MD) No.16448 of 2025

For Petitioner : Mr.S.Sankar
For Respondents : Mr.D.S.Nedunchezian,
Govt. Advocate

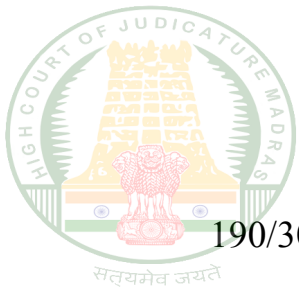
ORDER

The petitioner herein seeks a direction to the respondents 2 and 3 to survey the land in S.F.No.190/30 situate at Viralimalai Village, Pudukkottai District and consequently direct the 2nd respondent to issue FMB with respect to S.F.No. 190/30, by considering his representations dated 07.04.2025 and 27.05.2025.

2. Heard the arguments of Mr.S.Sankar, learned counsel for the petitioner and Mr.D.S.Nedunchezian, learned Government Advocate, who takes notice for the respondents.

3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that the property situate in S.F.No.



W.P.(MD) No.16448 of 2025

190/30 with an extent of 0.1.70 ares belonged to the petitioner and Natham Nilavari Thoraya Patta was issued in favour of the petitioner in Patta No.1067. He submitted an application on 03.04.2025 in application No.2025/N123/22/007338, seeking survey of the said property. The same has not been considered. Hence, the petitioner has come before this Court.

5. The learned Government Advocate appearing for the respondents would submit that the petitioner's property in S.No.190/30 is situated on the South of S.No.190/22, which belongs to one Velu. There is a discrepancy between the Thoraya patta issued to the petitioner and the revenue records. Therefore, the survey has not been conducted.

6. A perusal of Thoraya patta issued in favour of the petitioner would indicate that the property of the petitioner is situate on the South of S.No.190/22 belonged to one Velu. If the measurements found in Thoraya patta and revenue records pertains to the survey number are different, the respondents can measure the property with reference to Thoraya Patta as well as with reference to revenue records and issue their report to the petitioner. Therefore, merely because there is a discrepancy,



W.P.(MD) No.16448 of 2025

the respondents are not entitled to refuse the survey of the property.

Accordingly, the respondents 2 and 3 are directed to consider the application of the petitioner dated 03.04.2025 and pass final orders on its own merits within a period of twelve (12) weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner, the above said Velu and other neighbouring land owners.

7. With the above direction, this Writ Petition stands disposed of.

There shall be no order as to costs.

18.06.2025

vsm

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



WEB COPY



W.P.(MD) No.16448 of 2025

To

1. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Illupur,
Pudukkottai District.
2. The Tahsildhar,
Taluk Office,
Viralimalai,
Pudukkottai District.
3. The Taluk Head Surveyor,
Taluk Office,
Viralimalai,
Pudukkottai District.



WEB COPY



W.P.(MD) No.16448 of 2025

S.SOUNTHAR, J.

vsm

W.P (MD) No.16448 of 2025

18.06.2025