

W.P.(MD)No.23033 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.23033 of 2024

M.Karthikeyan

... Petitioner

Vs.

1.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

2.The Taluk Deputy Surveyor,
Nilakottai Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to measure the petitioner land in Survey No.301/4D2A (0.3.52 Ares) situated at Silukkuvarpatti Village, Nilakottai Taluk, Dindigul District within stipulated time frame fixed by this Court.

For Petitioner : Mr.K.B.Karthikeyan

For Respondents : Mr.M.Lingadurai
Special Government Pleader



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ORDER

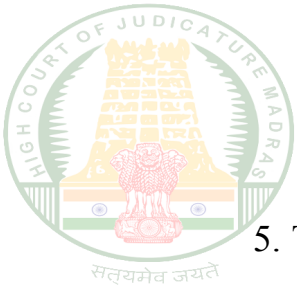
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The petitioner has sought for issuance of writ of mandamus to direct the 2nd respondent to measure the petitioner's land in Survey No.301/4D2A measuring 0.3.52 Ares at Silukkuvarpatti Village, Nilakottai Taluk, Dindigul District.

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

3. The grievance of the petitioner is that, even though the petitioner has made an application for conducting survey even as early as on 20.12.2022, in terms of his registered document and patta, paying requisite fee, the lands were not properly measured. Hence, the petitioner made an appeal on 11.03.2024 before the 2nd respondent. The petitioner seeks disposal of the said appeal.

4. The learned Special Government Pleader would submit the survey was conducted and the petitioner has also expressed satisfaction. The same was carried out on 13.03.2025. He has also produced the declaration signed by the petitioner on 13.03.2025, acknowledging the factum of survey having been conducted.



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5. The learned counsel for the petitioner submits that no such survey was conducted and he disputes the signature of the petitioner in the said statement produced by the learned Special Government Pleader. The petitioner has also filed an additional affidavit stating that no survey has been conducted after his appeal, dated 11.03.2024.

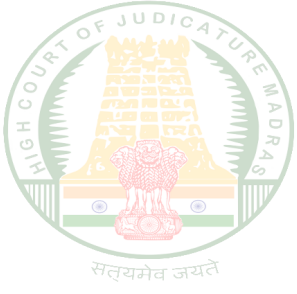
6. Taking into account the fact that the petitioner is not satisfied with the survey and he has made an appeal and the survey statement said to have been signed on 13.03.2025 by the petitioner also appears to be not the signature of the petitioner, this writ petition is disposed of, directing the respondents to conduct survey in the presence of the petitioner and two independent witnesses, whose signatures shall be also be obtained confirming the survey having been conducted in the presence of the petitioner. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

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

25.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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P.B.BALAJI, J.

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To:

- 1.The Tahsildar,
Nilakottai Taluk,
Dindigul District.
- 2.The Taluk Deputy Surveyor,
Nilakottai Taluk,
Dindigul District.

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