



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.05.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD)No.8028 of 2015
and M.P.(MD) No. 1 of 2015

R.Velmurugan

... Petitioner

Vs.

1.The Tahsildar,
East Taluk,
Y.Othakadai,
Madurai District.

2.The Head Surveyor,
East Survey Section,
East Taluk,
Y.Othakadai,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to survey in S.Nos.7/14, 7/15, 7/16 of Rajagambeeram Village, Madurai East Taluk within a date fixed by this court.

For Petitioner : Mr.V.Karuna

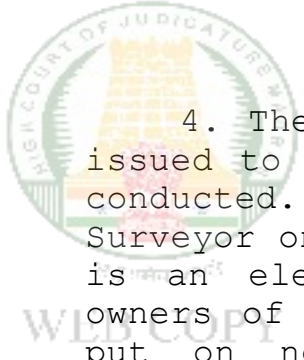
For Respondents : Mr.V.Muruganandam
Addl.Government Pleader

O R D E R

This petition has been filed seeking for issuance of Writ of Mandamus, directing the respondents to survey in S.Nos.7/14, 7/15, 7/16 of Rajagambeeram Village, Madurai East Taluk within a date fixed by this court.

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

<https://hcservices.courts.gov.in/hcservices/> 3. By consent this Writ Petition has taken up for final disposal at the admission stage itself.



4. The grievance of the petitioner is that inspite of notice issued to survey the land on 20.04.2015, the survey has not been conducted. It is seen that notice to survey was issued by the Head Surveyor only to the Writ Petitioner and not to the neighbours. It is an elementary principle that while conducting survey, the owners of the properties and the four boundaries should also be put on notice, as there is a likelihood to raise certain objections.

5. Accordingly, this writ petition is disposed of by directing the respondents to issue fresh notice to the petitioner and the neighbouring land owners and conduct survey, if there is no other legal impediment. The above direction shall be complied with within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected M.P.(MD) No. 1 of 2015 is closed.

Sd/-
Vacation Officer/
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Tahsildar,
East Taluk, Y.Othakadai, Madurai District.

2.The Head Surveyor, East Survey Section,
East Taluk, Y.Othakadai, Madurai District.

+One cc to M/s.V.Karuna, Advocate, SR.No.25240

+One cc to The Special Government Pleader, SR.No.25343

pjl/ssl
RL/ 5c- 18/5/2015

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and M.P.(MD) No. 1 of 2015

13.05.2015