



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.21321 of 2016

A.Andiyappan

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti, Madurai District.

3.The Deputy Survey Inspector,
Vadipatti Taluk,
Vadipatti, Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to survey and measure his property situated in Survey Nos.22/6B and 22/11A at Ayyur Village, Vadipatti Taluk, Madurai District within stipulated time.

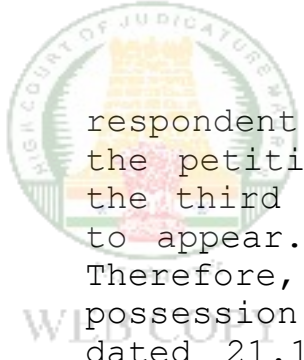
For Petitioner	: Mr.S.Chellapandian
For Respondents	: Mr.K.P.Krishnadoss
	Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.

3.According to the petitioner, he filed an application on 13.06.2016 for measuring the property in respect of Survey Nos.22/6B and 22/11A at Ayyur Village, Vadipatti Taluk, Madurai District and also paid necessary fees. Subsequently, the third respondent issued a notice in the name of the petitioner's son, in whose name patta stands for as he is the owner of the property, which the petitioner wants to measure. Subsequently, the third



respondent refused to survey the said property on the ground that the petitioner's son has not appeared. The petitioner informed the third respondent that since his son is in Army, he is unable to appear. But the third respondent refused to accept the same. Therefore, the petitioner, on behalf of his son and being in possession of the said property submitted another application, dated 21.10.2016 to survey the said property. Since the third respondent refused to survey by accepting his explanation, the petitioner has filed the present Writ Petition.

4. In the above circumstances, since the owner of the property is in Army and the petitioner being the father, the second and third respondents are directed to consider the application of the petitioner, dated 21.10.2016 and pass appropriate orders, with regard to survey of the land and to fix boundaries as per revenue records, after issuing notice to the neighbouring land owners. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True copy/

Sub Assistant Registrar

To

1. The District Collector, Madurai District, Madurai.
 2. The Tahsildar, Vadipatti Taluk, Vadipatti, Madurai District.
 3. The Deputy Survey Inspector, Vadipatti Taluk, Vadipatti, Madurai District.
- +1 CC to Mr.S.CHELLAPANDIAN, Advocate, SR No.66558
- +1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.67758

W.P(MD)No.21321 of 2016
08.11.2016

ps

SH/SKS-RR:22.11.2016:2P/6C