



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.02.2017

CORAM

THE HON'BLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.(MD) No. 2413 of 2017

WEB COPY

K.Veluchamy

... Petitioner

-Vs-

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Tahsildar,
Oddanchathiram Taluk,
Oddanchathiram, Dindigul District.
- 3.The Assistant Director of Survey,
Department of Survey,
Collectorate of Campus,
Dindigul District, Dindigul.
- 4.The Firka Surveyor,
Oddanchathiram Taluk,
Oddanchathiram, Dindigul District.
- 5.The Village Administrative Officer,
No.28, Arasappa Pillaipatti,
Oddanchathiram Taluk,
Dindigul District.

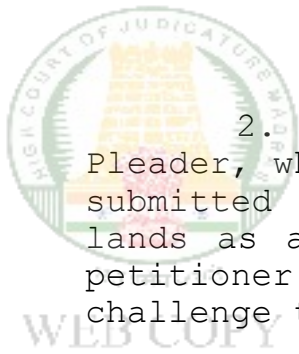
... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the respondents 2 to 5 herein to carryout appropriate survey and demarcate the boundaries of the petitioner's lands in Survey number 209, 208/1B2 and 223/1 situate at Kaveriammapatti Village, Oddanchathiram Taluk, Dindigul District within a stipulated time after giving prior notice to him.

For Petitioner	: Mr. R.Thangapandian
For Respondents	: Mr. T.S.Mohammed Mohideen Additional Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner seeking for a Mandamus directing the respondents 2 to 5 to carry out survey and demarcate the boundaries of the lands in Survey Nos.209, 208/1B2 and 223/1 situated at Kaveriammapatti Village, Oddanchathiram Taluk, Dindigul District.



2. Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, who takes notice for the respondents, based on instructions submitted that already survey has been conducted in the above said lands as admitted by the petitioner himself and therefore, if the petitioner is aggrieved against such survey, he has to only challenge the same in the manner known to law.

3. Perusal of the affidavit filed in support of this Writ Petition would show that the petitioner has admitted that survey has been conducted in the above said lands and that the Authorities have however wrongly fixed as if a channel is running therein.

4. Needless to say that if the petitioner is aggrieved against the survey conducted already, he has to only challenge the same before the appropriate authority. Hence, filing of this Writ Petition seeking for a Mandamus to survey the lands is not maintainable. Therefore, this Writ Petition is disposed of with liberty to the petitioner to challenge the survey proceedings already conducted and completed. The second respondent shall communicate a copy of the proceedings pertaining to conducting of the said survey, to the petitioner so as to enable him to make such challenge. No Costs.

SD/-

ASSISTANT REGISTRAR (P&A)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1.The District Collector, Dindigul District, Dindigul.

2.The Tahsildar,
Oddanchathiram Taluk, Oddanchathiram, Dindigul District.

3.The Assistant Director of Survey,
Department of Survey, Collectorate of Campus,
Dindigul District, Dindigul.

4.The Firka Surveyor,
Oddanchathiram Taluk, Oddanchathiram, Dindigul District.

5.The Village Administrative Officer,
No.28, Arasappa Pillaipatti,
Oddanchathiram Taluk, Dindigul District.

+1 CC TO MR. R. THANGA PANDIAN, ADVOCATE, SR NO.7711

+1 CC TO SPECIAL GOVERNMENT PLEADER, SR NO.8063

PM

MAS/MR:27.02.2017:2P/8C