



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No. 13205 of 2016

and

W.M.P. (MD) No. 9944 of 2016

M. Rajammal

...Petitioner

-Vs-

1. The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

2. The Head Surveyor,
O/o. Kariapatti Taluk Office,
Virudhunagar District.

3. Muniyandi

...Respondents

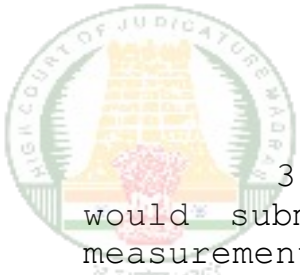
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondents 1 and 2 not to take make any survey and demarcation at the instances of third respondent or any person claiming right through him on the Survey Nos. 123/16, 17, 18 Ariyanendal Village, Kariapatti Taluk, Virudhunagar District until furnishing information's and direct them to make survey on the entire stretch of S.No. 123.

For Petitioner	: Mr. P. Pon Karthikeyan
For R-1 & R-2	: Mr. C. Selvaraj Special Government Pleader
For R-3	: Mr. R. Rajamohan

ORDER

The petitioner has come up with this writ petition forbearing the respondents 1 and 2 from making any survey and demarcation at the instance of the third respondent in S.Nos. 123/16, 17 and 18 in Ariyanendal Village in Kariapatti Taluk.

2. According to the petitioner, he is entitled for 4 cents in Survey No. 123/1. The third respondent, who was assigned with 3 cents, is now having 234.82 square metres of lesser extent has filed application seeking larger extent based on the revenue



3. Mr.C.Selvaraj, learned Special Government Pleader would submit that now an application is given only for the measurement of survey numbers and not based on any revenue document. The third respondent has approached the respondents 1 and 2 to measure the Survey No.123/18. So there won't be any difficulty to measure the survey No.123/18.

4. In view of the above submission, the respondents 1 and 2 shall conduct survey in S.No.123/18 after providing opportunity to the petitioner and other necessary parties within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

2.The Head Surveyor,
O/o. Kariapatti Taluk Office,
Virudhunagar District.

+1cc to M/S.R.Rajamohan, Advocate SR.No. 76352
+1cc to M/S.P.Pon Karthikeyan, Advocate SR.No. 76840
+1cc to Special Government Pleader, SR.No. 76871

W.P. (MD) No.13205 of 2016
04.09.2017

sm
JM/SKN RSK/SAR 1/20.09.2017/2P/6C