



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

W.P. (MD) No. 94 of 2018

Kesavan

.. Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Thasildar,
Tirumangalam Taluk,
Madurai District.

3. R.Jeyakodi

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to measure the petitioner's property and demarcate of the survey boundaries according to the petitioner's title deeds and survey sketch for Survey Nos. 38/11A and 63/1A situated in Nalamanayakanpatti Village, Kallikudi Post, Tirumangalam Taluk, Madurai District on the basis of the petitioner's representation dated 17.05.2017.

For petitioner

: Mr. C. Gangai Amaran

for M/s. Veera Associates

For Respondent Nos. 1 & 2

: Mr. J. Gunaseelan Muthiah

Additional Government Pleader

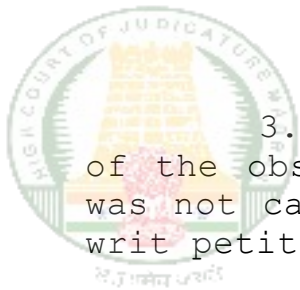
For Respondent No. 3

: No appearance

O R D E R

Heard the learned Counsel on either side.

2. The petitioner claims that he is the owner of the property comprised in Survey Nos. 38/11A and 63/1A situated in Nalamanayakanpatti Village, Kallikudi Post, Tirumangalam Taluk, Madurai District. The petitioner wants his property to be surveyed and the boundaries to be demarcated. He gave a representation in this regard on 17.05.2017.



3. The grievance of the writ petitioner is that on account of the obstruction caused by the third respondent, the authority was not carrying out the survey measures. Therefore, the present writ petition has been filed.

4. Even though the third respondent was served and the name is printed in the cause title, there is no representation on the side of the third respondent. Therefore, the second respondent is directed to measure the writ petitioner's property and demarcate the survey boundaries according to the petitioner's title deeds and survey sketch for Survey Nos.38/11A and 63/1A situated in Nalamanayakanpatti Village, Kallikudi Post, Tirumangalam Taluk, Madurai District. It is made clear that by undertaking such Survey exercise the right of the parties are not concluded. It is always open to the third respondent to establish her rights before the Civil Court in the manner known to law.

5. With these observations, the Writ Petition is allowed.
No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Madurai District,
Madurai.

2. The Thasildar,
Tirumangalam Taluk,
Madurai District.

+1cc to The Spl. Government Pleader Sr.No.45994
+2cc to M/s.Veera Associates, Sr.No.45247,45647

KMI

VB/SV/MMS/SAR2/07/03/2018/2P/6C

ORDER MADE IN
W.P. (MD) .No.94 of 2018
31.01.2018