



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.06.2018
CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD) No.13025 of 2018

M.John Dhanaraj

.. Petitioner

Vs.

1.The Tahsildar,
Madurai West Taluk,
Madurai.

2.The Head Surveyor,
Madurai West,
Madurai.

3.K.Thomas

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to survey the property of the petitioner in S.No.133/3B to the extent of 0.7.09 Hectares (17.5 Cents) in Keelamathur Village in Madurai West Taluk in Madurai District with reference to Patta and the Field Map and demarcate the four boundaries by planting survey stones.

For Petitioner	: Mrs.S.Mahalakshmi
For R1 & R2	: Mr.S.Nagarajan Special Government Pleader

O R D E R

This writ petition is filed for the issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to survey the property of the petitioner in S.No.133/3B to the extent of 0.7.09 Hectares (17.5 Cents) in Keelamathur Village in Madurai West Taluk in Madurai District with reference to Patta and the Field Map and demarcate the four boundaries by planting survey stones.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

3. The petitioner and his siblings have purchased the land in S.No.133/3 of Keelamathur Village in Madurai West Taluk in Madurai District to the extent of 33 Cents under a registered sale deed bearing Document No.1364/1990. Thereafter, they have partitioned that property. Accordingly, each one of them got $\frac{1}{4}$ th share and left 10 cents towards common usage. Thereafter, it appears that the brothers and sister sold their $\frac{1}{4}$ th share in the undivided share in the property to the petitioner. The brother namely, Irudhayaraj sold



5.7 cents, which was allotted to him through partition, to the third respondent.

4. Thereafter, the petitioner has applied for surveying his land and paid requisite fee for the same. In view of the objections raised by the third respondent, the first and second respondents have not surveyed his land. Hence, the petitioner is before this Court.

5. Considering the facts and circumstances of the case, a direction is issued to the first and second respondents to consider the application of the petitioner and after giving notice to the third respondent and all other parties concerned, the survey and demarcation process shall be completed within a period of two months from the date of receipt of a copy of this order. If needed, the respondents 1 and 2 can avail police protection.

6. This Writ Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To,

1.The Tahsildar, Madurai West Taluk,
Madurai.

2.The Head Surveyor,
Madurai West,
Madurai.

+1CC to M/s.Mahalakshmi Advocate in SR.No.69348.

CM

DS/VR/SAR/4 :06.07.2018: 2P/4C

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