



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.4212 of 2013

Sarojammal

... Petitioner

Vs.

1.The Tahsildar,
Madurai South Taluk,
Madurai District.

2.The Town Surveyor,
Madakullam Village,
Madurai.

3.The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

(R3 is impleaded vide Court order dated 17.11.2015 in M.P.(MD)No.1 of 2015 in W.P.(MD)No.4212 of 2013)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to survey the petitioner's land and fix the four boundaries of the petitioner's land situating in Survey No.159-4 in Plot No.6A, 6B Natham Kudiiruppu, Madakullam Village, Udkidai, Palanganatham, Madurai Taluk, Madurai-4 Joint Sub-Division Range, Madurai Revenue District by considering the petitioner's representation dated 10.01.2013 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For R1 and R2 : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.
For R3 : Mr.R.Prabhu Ramachandran

ORDER

This writ petition has been filed seeking a direction to the respondents to survey and fix the four boundaries of the petitioner's land situating in Survey No.159-4 in Plot Nos.6A, 6B Natham Kudiiruppu, Madakullam Village, Udkidai, Palanganatham, Madurai Taluk, Madurai-4 Joint Sub-Division Range, Madurai Revenue District by considering the petitioner's representation dated

10.01.2013 within the time stipulated by this Court.

2. Earlier, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner wants to survey two properties. In respect of one property, the survey has been conducted and the boundary has also been fixed and in respect of other property, it is shown as public road in the revenue records and the sale deed obtained by the petitioner is also not clear and very vague. Hence, the respondents are not in a position to survey the property. On that date, the petitioner wants to get instructions from his client.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that he has not in a position to say anything in this regard.

4. In the above circumstances, considering the submissions made by the learned Additional Government Pleader appearing for the respondents 1 and 2 that since already one property has been surveyed and other property was shown as public road in the revenue record, the respondents are not in a position to survey the property, the petitioner is directed to clear the objections raised by the first and second respondents for surveying the property.

5. With the above observation and direction, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl side)

/True copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Madurai South Taluk,
Madurai District.

2. The Town Surveyor,
Madakullam Village,
Madurai.

+1cc to Mr. R. PRABU RAMACHANDRAN, Advocate, SR. 48449

+1cc to Mr. R. ALAGUMANI, Advocate, SR. 48883

+1cc to M/S. Special Government Pleader, SR. 49047

W.P (MD) No. 4212 of 2013
14.02.2018

MYR