



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.2954 of 2019

M.Vasantha

... Petitioner

Vs

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

3.The Taluk Head Surveyor,
Avudaiyarkovil Taluk,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to survey the petitioner's land and fix boundary stones in respect of the Survey No.162/82 to an extent of 0.20.0 situated at Kurungallur Village, Vairani, Avudaiyarkovil Taluk, Pudukkottai District on the basis of the petitioner's application dated 26.09.2018 within stipulated time frame as fixed by this Court.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.M.Karuppasamy
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The petitioner wants the respondents to undertake survey exercise in respect of the petition mentioned land. He has given an application dated 26.09.2018 in this regard. Since it was not considered, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate informs the Court that rival claims have already been received by the second respondent. When there are rival claims, the revenue authority cannot undertake the survey



exercise. The parties will have to get their dispute resolved before the Civil Court. Hence, the direction sought for cannot be granted. The Writ Petition is dismissed accordingly. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To

- 1.The District Collector,
Pudukkottai,
Pudukkottai District.
- 2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 3.The Taluk Head Surveyor,
Avudaiyarkovil Taluk,
Pudukkottai District.

+1CC TO MR.G.MATHAVAN, Advocate Sr. No. 51588

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 51519

W.P. (MD) No.2954 of 2019

01.03.2019

TR (01.04.2019) 2P 6C