



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.7261 of 2019

M.Masanam

... Petitioner

Vs.

1. The Tahsildar,
Thiruparankundram Taluk Office,
Madurai District,
Madurai.

2. The Taluk Surveyor,
Thiruparankundram Taluk,
Thiruparankundram Taluk Office,
Madurai District,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 and 2 to survey the plot No.4 in Re-survey No.31/2 for an extent of 1800 sq.ft situated at Mulakarai, Thiruparankundram Village, Madurai South Taluk, Madurai District and issue Patta on the basis of the petitioner's application dated 05.09.2017 within the time frame fixed by this Court.

For Petitioner : Mr.M.Palani

For Respondents : Mr.K.Mu.Muthu,

Additional Government Pleader.

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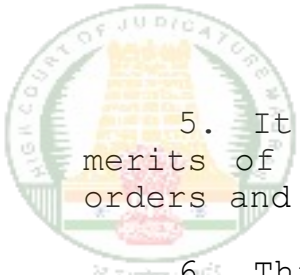
O R D E R

Heard the learned counsel on either side.

2. The Writ petitioner has given the petition mentioned application seeking two reliefs. One is survey and the other is issuance of patta. The issuance of patta will have to follow the outcome of the survey exercise.

3. The first respondent shall cause issuance of notice to the adjacent land owners and fix a date for survey. If the respondents encounter any resistance or opposition from the adjacent land owners or others and there appears to be any basis for the same, the first respondent will relegate the parties to move the jurisdictional civil Court.

4. In any event, this exercise shall be concluded within a period of twelve weeks from the date of receipt of a copy of this order. If the survey exercise could be successfully undertaken, then the Writ petitioner's case for issuance of patta will have to be necessarily considered and issued within a period of four weeks, thereafter.



5. It is made clear that this Court has not gone into the merits of the matter. It is open to the first respondent to pass orders and deal with the issue one way or the other.

6. This Writ petition stands disposed of, accordingly. No costs.

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Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Tahsildar,
Thiruparankundram Taluk Office,
Madurai District,
Madurai.

2. The Taluk surveyor,
Thiruparankundram Taluk,
Thiruparankundram Taluk Office,
Madurai District,
Madurai.

+1cc to Mr.M.PALANI, Advocate, SR.No. 64422

+1cc to M/s.Special Government Pleader, SR.No. 64934

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PMU

KK/SAR/23.05.2019/ 2P- 5C

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