



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD)No.15252 of 2020

1.P.Natarajan
2.M.Mahalakshmi
3.P.Ramu @ Ramani
4.P.Uma
5.R.Vallimayil

...Petitioners

-Vs-

1.The District Collector,
Madurai District, Collectorate Campus,
Madurai-625 020.

2.The Tahsildar,
Vadipatti Taluk, Vadipatti,
Madurai District.

3.The Village Administrative Officer,
Thiruvédagam Village, Vadipatti Taluk,
Madurai District.

4.The Firka Surveyor,
Shozhavandhan Firka,
Vadipatti Taluk, Madurai District.

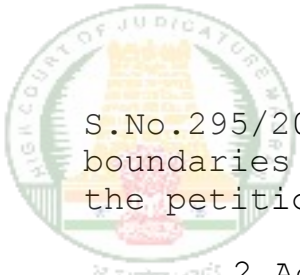
...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to conduct the survey in Village Natham at Thiruvédagam Village, Vadipatti Taluk, Madurai District bearing Natham S.No.295/18 to an extent of 620 sq.mts., and in S.No.295/20 to an extent of 621 sq.mts., and to identify the four boundaries of the respective survey numbers by metes and bounds to the petitioners within a time frame as pleased by this Court.

For Petitioners : Mr.S.Chandrasekaran
For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader.

ORDER

This Writ Petition has been filed, seeking a direction to the respondents 2 to 4 to conduct the survey in Village Natham at Thiruvédagam Village, Vadipatti Taluk, Madurai District bearing Natham S.No.295/18 to an extent of 620 sq.mts., and in



S.No.295/20 to an extent of 621 sq.mts., and to identify the four boundaries of the respective survey numbers by metes and bounds to the petitioners within a time frame as pleased by this Court.

2. According to the petitioners, the land in Village Natham at Thiruvudagam Village, Vadipatti Taluk, Madurai District bearing S.No.152/2 to an extent of 30 ½ cents out of the total extent of 15 Acres 18 cents under registered sale deed dated 02.09.1989 was purchased by the third petitioner from and out of the joint family funds and as such, the land belongs to all of the petitioners. During Natham UDR scheme conducted in the year 1991, an extent of 620 sq.mts., was entered in the records jointly in the name of the petitioners 1 and 2 and the rest of the extent of 621 sq.mts., was entered in the name of the petitioners 3 to 5. When they have decided to construct residential houses, all of the petitioners have filed an application dated 15.06.2020 for measuring the land before the second respondent and reminder application dated 08.09.2020. Since no efforts have been taken, they have approached this Court seeking aforesaid prayer.

3. When the matter is taken up for hearing, it is represented by the learned Special Government Pleader appearing for the respondents that there was an objection that the land in question belongs to temple.

4. This Court without going into the merits of the case, directs the respondents to survey the land in question, after affording an opportunity to the petitioners as well as temple authorities. The said survey shall be photographed and videographed in the presence of the petitioners and the costs of Photograph and Videograph to be borne by the petitioners. Such exercise shall be completed, within a period of three (3) months from the date of receipt of a copy of this order. At the time of conducting survey and in case of issuance of patta, the guidelines issued by this Court in W.P.(MD)No.13465 of 2020, dated 13.10.2020 and W.P.(MD) Nos.7746 of 2020 etc., batch dated 23.09.2020, have to be scrupulously followed.

5. Accordingly, this Writ Petition stands disposed of. No costs.

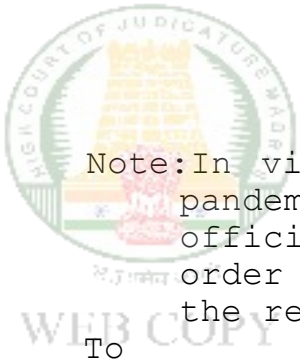
Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Madurai District, Collectorate Campus,
Madurai-625 020.
2. The Tahsildar,
Vadipatti Taluk, Vadipatti,
Madurai District.
3. The Village Administrative Officer,
Thiruvudagam Village, Vadipatti Taluk,
Madurai District.
4. The Firka Surveyor,
Shozhavandhan Firka,
Vadipatti Taluk, Madurai District.

+1 CC to SPL GP (SR-21897[F] dated 11/11/2020)

Order made in
W.P. (MD) No.15252 of 2020
10.11.2020

VB (26.11.2020) 3P 6C