



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P (MD) No.1446 of 2021

and

W.M.P (MD) No.1237 of 2021

Najmudeen Mubarak

.. Petitioner

Vs

1.The District Collector,
Theni District,
Theni.

2.The District Registrar,
Periyakulam Registration District,
Theni District.

3.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4.The Surveyor,
Uthamapalayam Taluk,
Theni District.

5.The Sub-Registrar,
Cumbam Sub Registrar Office,
Theni District.

6.Raheema

7.Najira Begum

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the 4th respondent to conduct a survey and measure the petitioner's property and to fix the boundaries of the petitioner's property.

For Petitioner : Mr.K.Navaneetharaja

For R1 to R2 : Mr.M.Karuppasamy,
Government Advocate



ORDER

This writ petition has been filed for a direction to the 4th respondent to conduct a survey and measure the petitioner's property and to fix the boundaries of the petitioner's property.

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2. When the matter is taken up for hearing, the learned Government Advocate appearing for the official respondents submitted a communication of the Tahsildar, Uthamapalyam, in Na.Ka.No.10365/2021/Ni.A, dated 29.01.2021 and according to the learned Government Advocate, the petitioner has not paid the necessary fee for survey and measurement of the land and if the petitioner pays the necessary fee, survey and measurement would be conducted by the official concerned.

3. A perusal of the communication of the 3rd respondent, Tahsildar, Uthamapalayam, Theni District shows that the petitioner has not paid the necessary fee for survey and measurement of the properties. It is not open to the petitioner to invoke the extraordinary jurisdiction of this Court and seek a direction of this nature, without even paying the necessary fee for the said purpose. Therefore, this Court is not inclined to entertain this writ petition.

4. In view of the above and in view of the aforesaid communication of the 3rd respondent, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1. The District Collector,
Theni District,
Theni.

2. The District Registrar,
Periyakulam Registration District,
Theni District.



3.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4.The Surveyor,
Uthamapalayam Taluk,
Theni District.

5.The Sub-Registrar,
Cumbam Sub Registrar Office,
Theni District.

+1 CC to M/s.GP (SR-2869[F] dated 02/02/2021)

W.P(MD) No.1446 of 2021
01.02.2021

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TR(22.02.2021) 3P 7C