



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2021

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.8886 of 2021
(Through Video Conferencing)

Akila Rani Kiliyan

... Petitioner

Vs.

1.The District Collector
Madurai District, Madurai.

2.The Tahsildar,
Madurai South Taluk
Madurai District

3.The Taluk Surveyor
Madurai South Taluk
Madurai.

4.The Inspector of Police,
Silaiman Police Station,
Madurai District

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 3rd respondent to conduct survey and measurement in respect of the lands in Survey Nos.23/1, 23/2, 23/3, 23/4, 23/5, 23/6 and 23/7 in Panaiyur Village, Madurai South Taluk, Madurai District within a time frame fixed by this Court and consequently direct the 4th respondent to give adequate police protection to the 3rd respondent for conducting the survey and measurement.

For Petitioner :Mr.T.Saravanapandian
For Respondents :Mr.M.Muniyasamy
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the third respondent to act upon the representation made by the petitioner on 03.03.2021, wherein the petitioner has sought for survey of the subject property and for fixing the boundaries.



2.The case of the petitioner is that she is the President of Panaiyur Panchayat and she found that there were lots of encroachments made in the subject properties belonging to the panchayat. The petitioner, therefore, wanted to conduct survey and properly identify the subject properties and thereafter proceed further to remove the encroachments.

3.The petitioner, therefore, gave two representations on 03.03.2021 and 09.03.2021. In spite of the said representations, no action was taken by the first and second respondents and therefore, left with no other alternative, the present writ petition has been filed seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second and third respondents to consider the representation made by the petitioner on 03.03.2021 and proceed to conduct a survey in the subject property. If there is any resistance, necessary protection can be sought for from the fourth respondent. The process of survey shall be completed within eight weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the respondents 2 and 3 along with all the relevant documents and also a copy of this order.

7. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-P&A)

// True Copy //

/ /2021

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.



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KG(CO)
AS(12.05.2021) 3P 5C