



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12834 of 2021

M.Mithilainathan

...Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Assistant Director / Personal Assistant
to the District Collector,
District Survey Department,
Madurai-20.

3.The Tahsildar,
Madurai North Taluk,
Madurai District.

4.The Village Administrative Officer,
Theanur Village, Madurai North Taluk,
Madurai District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to conduct survey and fix boundaries of Punja Land bearing S.F.No.34/1B, situated at Theanur 1st Bit Village, Madurai North Taluk, Madurai District, based on the representation dated 19.04.2021.

For Petitioner : M/S.Aruljenifer

For Respondents : Mr.R.Sureshkumar

Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to act upon the representation made by the petitioner, on 19.04.2021, wherein, the petitioner has sought for the survey of the subject property and for fixing the boundaries.

2.The case of the petitioner is that he is the absolute owner of the subject property by virtue of a registered sale deed, dated 16.12.1990. The further case of the petitioner is that he is also paying the house tax in his name and he has also obtained the electricity connection in his name.

3.The petitioner made an application, on 22.06.2020, before the Taluk Surveyor to measure the property and to fix the boundaries. The concerned Officer along with Revenue officials also visited the



property during October 2020. The petitioner was not convinced with the manner in which the survey was conducted. According to the petitioner, there is a difference between the revenue records maintained by the District Survey Office and the revenue records maintained by the fourth respondent.

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4.The petitioner made a representation before the second respondent, on 15.12.2020, by paying the necessary fees to survey the property under the supervision of the District Surveyor. The grievance of the petitioner is that there was no response from the office of the second respondent and left with no other alternative, the present writ petition has been filed seeking for appropriate directions.

5.Heard Ms.A.Aruljenifer, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate for the respondents.

6.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 respondent to act upon the representation made by the petitioner, on 19.04.2021 and deal with the same on its own merits and in accordance with law and take a decision with regard to the survey of the subject property within a period of four weeks from the date of receipt of a copy of this order. If there are any other interested parties, the second respondent shall issue notice to them before undertaking the survey.

7.The petitioner is directed to make a fresh representation to the second respondent along with all relevant documents and also a copy of this order.

8.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

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+1 CC to M/s.SPL GP (SR-24390[F] dated 29/07/2021)

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RD(5.08.2021) 3P 6C