



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **05.08.2021**

CORAM:

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY
W.P. (MD) No.13500 of 2021

WEB COPY

M.Machavalli

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Collectorate Buildings,
Madurai.

2.The Tashildar,
Madurai West Taluk,
Madurai District.

3.The Surveyor,
Madurai West Taluk,
Madurai District.

4.Muthulakshmi

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third respondent herein to consider the petitioner's application dated 19.11.2020.

For Petitioner : Mr.R.Ganesan

For Respondents 1 to 3 : Mr.P.Subbaraj

Standing Counsel for State

ORDER

The petitioner seeks to survey her property in Survey No.473/9, Vilacheri Village, Madurai West Taluk, Madurai District.

2. The petitioner states that she lives at the aforesaid address and that a patta was issued in respect of the aforesaid property to her on 31.05.2004. A copy of such patta has also been enclosed. It is further stated that the petitioner's neighbor, Muthulakshmi, has attempted to block ingress and egress to her property. Consequently, the petitioner wants to have the property surveyed and the boundaries thereof marked. For such purpose, it is stated that an application was submitted on 19.11.2020 to the third respondent herein but that no action has been taken thereon.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents and submits that the application of the petitioner may be considered and disposed of subject to putting the fourth respondent on notice.



4. Accordingly, without going into the merits of the matter, the third respondent herein is directed to consider the petitioner's application dated 19.11.2020 and, if deemed appropriate, conduct and conclude a survey of the property bearing Survey No.473/9 after providing notice to the petitioner and the fourth respondent herein. On account of the fact that the merits of the matter have not been examined and because the second and third respondents have been directed to put the fourth respondent on notice before conducting a survey, the Writ petition is disposed of without notice to the private respondent.

5. W.P. (MD) .No.13500 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

tsg

To

1.The District Collector,
Madurai District,
Collectorate Buildings, Madurai.

2.The Tashildar,
Madurai West Taluk, Madurai District.

3.The Surveyor,
Madurai West Taluk, Madurai District.

+1 CC to M/s.GP (SR-25529[F] dated 06/08/2021)

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.

**Order made in
W.P. (MD) .No.13500 of 2021**

**Dated :
05.08.2021**